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Per. 3977 e. 190

THE

EDINBURGH REVIEW,

OR

CRITICAL JOURNAL:

FOR

OCTOBER, 1830 .... JANUARY, 1831.

TO BE CONTINUED QUARTERLY.

JUDEX DAMNATUR CUM NOCENS ABSOLVITUR.
PUBLIUS SYRUS.

VOL. LII.

EDINBURGH:
PRINTED BY BALLANTYNE AND COMPANY,
FOR LONGMAN, REES, ORME, BROWN, AND GREEN, LONDON;
AND ADAM BLACK, EDINBURGH.

1831.

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THE

EDINBURGH REVIEW.

OCTOBER, 1830.

No. CIII.

ART. I.—*Reflexions sur la France; vices de son Gouvernement; causes du Mécontentement des Français sous le Ministère de Polignac, &c.* Par M. ST MAURICE. 8vo. London: 1830.

SINCE the breaking out of the French Revolution, excepting, perhaps, the failure of Napoleon in Russia and the downfall of his enormous power, no event has occurred on the continent of Europe that will stand in any kind of comparison with the late proceedings in Paris. The influence which they are calculated to exert, both upon the condition of the great people over whose name they have shed the lustre of an imperishable renown, and the more wide-spreading consequences that must speedily flow from them in every other country, forcibly arrest our attention at the present moment, and demand a calm discussion. If all mankind are interested in this glorious achievement, Englishmen surely have of all others the deepest concern in its effects, not merely as well-wishers to the liberties of other nations, but as feeling watchful of every encroachment upon their own; for with the fullest disposition charitably to construe the feelings and principles of our own rulers, we take it to be abundantly manifest, that the battle of English liberty has really been fought and won at Paris. Under the influence of these impressions, we advance to the contemplation of this mighty theme; and we deem it a sacred duty to view it, deliberately and candidly indeed but with entire freedom, and without even the least respect of persons, or the most remote care to whom our remarks may prove offensive. Our purpose is certainly to speak the truth, and not to give offence; but if the truth prove unpalatable to any, be theirs the blame, not ours.

As soon as the Prince Polignac was called to the head of the

French king's councils, the disposition to favour the Jesuits, to undo the effects of the Revolution, and to counteract the current of liberal opinions, long enough apparent in the conduct of Charles X. and his bigoted daughter-in-law, broke forth without any restraint, and kept no terms with any antagonist. The Dauphin, if indeed he really differed from his family in point of sense, and thus perceived the precipice towards which they were hurrying, was silenced, and borne along by the imperious passions of his fanatical consort. Among the old nobility who surrounded the throne, none had the wisdom to discern or the virtue to point out the perils which beset it. The priests ruled supreme over the monarch, or divided their dominion with the Dauphiness. Nor had they the sense to see, in their thirst for revenge, that the impetuosity of the pursuit might frustrate the attainment of their object. One or two military men, of Napoleon's school, were in some credit with the court; but their habitual disregard of the people, and confidence in the steadiness of the army, made them the worst of all advisers, while they gave encouragement to those who looked for their services, as tools at once unprincipled and submissive.

The description of the colleagues to whom the Prince was associated, further betrayed alike the dispositions and the blindness of the court. Labourdonnaye was a man of honour and principle; but, from the sustained violence of his political opinions, all avowedly in favour of arbitrary power, and against every vestige of the revolutionary improvements, his name was regarded as the synonyme of the ancient *régime*, in church and in state—old parliaments—old feudal privileges—an insolent nobility—and a bloated priesthood. His extreme violence in debate had marked him out still more for general dislike; and he was the object of unceasing animosity to one party, without securing the goodwill of the other, whose distrust was excited by his intolerant presumption, and unheeding temerity. A few unknown and insignificant men, such as Ranville, were the make-weights of the junto; but one there was besides Labourdonnaye, for whom it would have been well could he have been unknown. General Bourmont was hated, if not despised, by the army; but his treachery to it was sufficient to win the confidence of the Bourbons; and, whether from the disposition, too common with kings, to trust those who are thrown as it were into their arms, by being left at their mercy, in the universal distrust and hatred of the rest of mankind, or because such an arrangement would insult and degrade the French army, this person was selected from among its gallant captains, and placed at the head of the war department. He had, moreover, served with the Dauphin in the

shameful war against the liberties of Spain; and having enabled one branch of the Bourbons to trample upon freedom abroad, he might be employed in helping another to crush it at home.

The announcement of such names completed the impression which the elevation of Polignac was calculated to excite, and it spread consternation through all France. Reflecting men saw on the throne a prince of weak understanding, but furious bigotry, the declared enemy of all liberty, civil and religious, and blindly bent, under the dictation of his confessor, upon working out his own salvation, by rooting up every vestige of the blessings which his people had gained, at the price of so much suffering for a quarter of a century. Around him they perceived a younger brood of the self-same character, who shut out all hope of better times, because the fanaticism of the old king's successors was quite as furious as his own. The chief minister was a weak and reckless bigot; a man of no pretensions to capacity, or knowledge, or experience; whose dulness and frivolity made his mind impervious to reason; whose fanaticism made it proof against fear. His colleagues were one or two obscure and desperate adventurers, the Coryphæus of the ultra royalists, and the deserter of his post on the eve of the battle which had inflicted on the French the unmitigated evils of the Restoration. Among the tools with which this portentous cabinet had to work, were some of the most unprincipled of Napoleon's generals, men grown grey in the career of cruelty, profligacy, and oppression; practising in the court of the Bourbons all the suppleness which they had learnt in their riper age under the despotism of the Usurper; and ready to rehearse once more in the streets of the capital, the early lessons of butchery which had been familiar to their more tender years, under the Convention and the Directory. So prodigious a combination of evil designs, blind violence, and unprincipled instruments, had seldom been arrayed against the happiness of any people. The firmest beholder could not contemplate it without alarm, nor could the most sanguine descry any ground of hope, save in the chance of fatal errors being committed by such adversaries. These errors we will not say rescued, but enabled the people to rescue, their country.

For a while there were no grounds of discontent or of opposition afforded by the proceedings of the new ministry; and, accordingly, the slavish doctrine, so full of mischief, and so calculated to gain the favour of feeble, thoughtless, and spiritless natures, was every day echoed in our ears, 'Measures, not Men.' We were told not to condemn the ministry without a trial; we were bid to wait until they should do some act deserving of reprobation; we were asked what harm they had done, or attempt-

ed, that justified such an universal clamour as was raised against them? 'Only be quiet for a little while,' it was said significantly, 'and you may find their measures exactly such as you 'would yourself approve.' But the more reflecting and sagacious did not choose to wait until it should be too late to resist with effect—too late for any thing, except to be laughed at by the deceiver. They knew full well, that if you suffer men unworthy of confidence to rule, they can always choose their own time for undermining your defences; that they may, by slow degrees, by carrying little encroachments at a time, gain a power no longer to be resisted; that, if opposition is delayed until their time comes—until they shall do some act deserving of reprobation—they may be enabled to do the act, and may leave you, its victims, nothing for your consolation except to reprobate. The French had the sense to prefer effectual prevention while it was yet time, to unavailing blame when the time was past; they rejected the kind, and judicious, and, as it was termed, temperate counsel of their worst enemies on both sides of the Channel; and they raised all over the country one loud cry for the removal of a ministry at once odious and contemptible. The firmness of the court was not shaken by this universal expression of public opinion; the vain feeble creature who had become prime minister, held his ground; the Chambers were dissolved, that a new election might improve their subserviency; and the friends of despotic power, in both France and England, fondly and foolishly hoped that the day was their own. Every engine of influence was set in motion; praise to whom praise was due, honours to whom honours, threats to whom threats, and bribes to whom bribes. The existence, at least the peaceful existence, of the dynasty was staked upon the issue of the contest; and no pains were spared, and no scruples were allowed to intervene, and no means were either neglected, or despised, or rejected, which might further the return of a more complying legislature. The constant cry of 'Measures, not Men,' was repeated—that cry which so often bewilders honest, weak men in England, and leads to such remediless mischief, and stands in the way of so much solid improvement, enabling the enemies of all amendment in every branch of our system to maintain their ground, and resist every good measure:—that cry which, beyond every other, is in its operation self-contradictory, and in its effects self-destructive, inasmuch as, under the vain and flimsy pretext of making measures every thing, the means are afforded of frustrating all measures, and making all good intentions nothing. This cry, so plausible, so perilous among the ignorant, so well adapted to mislead the unwary and inexperienced, was echoed

wherever two or three were gathered together to vote for deputies, or electors, or presidents. It was everywhere attempted;—thanks to the good sense and the firmness of the people, it everywhere signally failed;—and they wisely chose the *men* who were most sure to promote the *measures* which the public safety demanded, by wresting the power of putting that safety in jeopardy from the *men* who were bent upon the worst of *measures*, and those *measures* would inevitably carry, if power were left in their hands. This hypocritical, this canting pretext, sustained a defeat everywhere, from which it has not yet recovered; and a representative body was elected, resolutely bent upon doing its duty in the only manly, rational, and effectual manner by which France could be rescued, and her liberties saved.

The new Chambers met, with the eyes of the whole civilized world anxiously bent towards them. The first step showed how much the government had gained by the dissolution. In England, had the most weak and despised ministry that ever ruled the state dissolved the Parliament, and a new House of Commons been returned, the most adverse to their continuance in office, we much fear that a thousand follies—squeamishness in some—alarm in others—politeness towards individuals in one—indolence and idleness in another—the wish not to offend the court or the minister before it was necessary—the love, or the pretence, or the cant of candour—the desire of being, or appearing, moderate—the influences of wives and daughters loving courts and parties—the slowness to commit themselves unnecessarily—fox-hunting, if the weather was mild—Newmarket the alternate weeks—customary residence till Christmas in the country—a condescending visit and shooting, performed by some duke—a gracious one accorded by some prince—letters, half-chiding, half-tender, from some lady of influence and activity—would, altogether, have made the attempt quite hopeless to bring forward in the very beginning of the Session all the force gained by the Opposition during the elections. A new speaker might be proposed; the man least popular with the House, least suited for the station. But in vain would the leaders of the Opposition expect their followers to muster on so fitting an occasion, and display their strength, so as at one blow to crush the common adversary. 'The question is too personal'—'It is beginning too early 'to oppose the government'—'Wait till some measure is brought 'forward'—'Why take the field before even the King's speech' —'Wait till after the holidays'—'Any measure of economical 'reform I will support'—'I am against Negro Slavery, in a 'temperate way'—'I would even give Manchester members'—

'This looks too like a party measure;'—such would have been the answers of the stout and independent members of an English Opposition, to the proposition not to let an incapable minister dictate to a strong and a discontented parliament. Such are the causes of misrule in England, by ministers with neither influence in or out of doors—such are the glaring, rather let us say, such have hitherto been the glaring, the inexpiable breaches of all public duty, committed by men chosen to protect the interest of the people, and professing themselves to be the independent friends of right government. From the tools of the ministry, of course, nothing is expected, and no blame is imputed to them. On the contrary, they are steady to their purpose, and ever at their post. Their employer finds them worthy of their hire; the government has no right to complain of them. It is the people that have a right to complain; it is the pretended friends of the people that are wanting to their employers; it is the loud pretender to patriotism and independence that slumbers at his post, or is never found near it, and wilfully suffers the men to domineer, whom he was sent to oppose, and the measures to languish and to fail, which, on the hustings, he vowed to support. Hence it is, that the weakest of Cabinets has ceased to dread even the most powerful Opposition; and that the least popular of monarchs has found it an easy matter to choose his ministers, almost with as little regard to the public voice, as if he were choosing his household servants.

Not such was the manly, and ever to be respected, demeanour of the French Opposition. No silly, effeminate fear of being thought hasty, or rash, or factious—no preference of personal to public considerations—no listening to the voice either of sloth, or flattery, or cant—could turn these sagacious and firm-minded men from their honest and avowed purpose. They were as mild in their converse as our weak patriots—as civil, as refined in the drawing-rooms—as well-disposed to set a just value upon the intercourse of social life, as the most subservient of our emasculated or superannuated frequenters of 'fashionable circles' can be for the little lives of them. But in the Chambers they knew they had a duty to perform, and a country to watch them; and they threw off the fribble when they entered those halls, whither they had been sent under a pledge to rid the nation of a government which oppressed and disgraced it. The Chambers met—the Presidents were proposed—the Opposition mustered on the first vote—the Ministry were signally and shamefully beaten—and all men saw that either the fate of the ministry, or of the dynasty which supported it, was irrecoverably sealed. We ourselves predicted this result of the dissolution. 'The elections,'

we said in our last number, (p. 565,) 'are closed; the result 'has disappointed none but the purblind minions of power; and 'nothing seems to await the ill-advised monarch, but the choice 'of abandoning his throne, or retracing the steps by which he 'has lost the confidence of his people, hazarded the existence of 'his dynasty, and endangered the tranquillity of France, and the 'peace of Europe.'

It was now that the character of both the royal family and its ministers broke out in all its force, and in all its frailty. They were persons manifestly beyond the reach of those motives and instincts, which provide for the safety of ordinary mortals. They were inaccessible to rational apprehensions of approaching danger, because they were impenetrable to reason; they were incapable of instinctive fear, because their minds and their feelings, and almost their senses, were hardened and perverted by fanaticism. Among the rest, the Prince Polignac stood conspicuous,—towering over all in folly and presumption; calmer than any in the midst of perils from which no genius could escape, and difficulties from which all the art of man could not extricate itself; and yet shining in the full vigour of an incapacity, wholly without example in any European minister, or potentate from the days of the Idiot Kings—presenting to the astonished gaze of the world, a union almost preternatural of serene, self-complacent confidence, in the negation of every human qualification for his place, and the absence of all chance of unravelling the toils wherein he had entangled himself.

All men were aware of the desperate situation of the government; all saw too that it was utterly incapable of grappling with even the most ordinary difficulties. But no one could have divined the remedy which was actually applied for its relief. A majority against the ministry had occasioned the dissolution: when that majority, in consequence of one general election, had been nearly doubled, who could have fancied that the remedy would be another dissolution and another general election? Who could have fathomed the depths of that moon-stricken folly, which should dream of lessening the disadvantage accruing from one appeal to the people by a second appeal, in contempt of the first—the senseless stupidity of expecting that the people would be gained over to the government, and choose obsequious representatives, in return for the insult of rejecting those first selected, and rendering void and of none effect the whole elections which the people had deliberately made? Yet such was the expedient to which the government had recourse. Nor is the din yet out of our ears of the applause bestowed upon this act of insanity, by the clamorous advocates of despotism, both in England and

in France. 'The firmness of purpose displayed by the Bour-'bons'—'That unshaken resolution, not to be moved by threats,' exhibited by Prince Polignac'—'The extraordinary vigour of 'this distinguished minister, fitting him for the troublous times he 'lives in'—'The statesmanlike capacity shown by the French 'Premier, who, had Louis XVI. been fortunate enough to possess 'such a minister, would speedily have put down the Revolu-'tion:—' Such was the language of the ministerial advocates in both courts, for in both they made common cause. Never did they consider the second dissolution as any thing other than as a mark of transcendent genius, and an augury most favourable to the grand struggle now making in France for legitimate rights, against the insolence of popular pretensions. It was, however, more than insinuated by those wise adherents of government on both sides of the Channel, that the Bourbon ministers had other resources to support them besides their prospect of overawing the country by their undaunted front. 'They were resolute in their 'purpose of not yielding; and determined not to be defeated 'without a struggle.'

The dissolution having been proclaimed, men anxiously waited for the next step of those infatuated creatures. Nor was the interval long—so short indeed, that to this day it is an inexplicable mystery what could be the meaning of the second dissolution—for it had not been made known above a week, when the memorable Ordinances were issued, which at once brought on a crisis never to be forgotten till time shall be no more. The insensate mortals who ruled thirty millions of freemen, by one stroke of the pen abolished the constitution, changed the law of election, and destroyed the liberty of the press. The troops which filled and surrounded Paris, were charged with the execution of this Decree.

Attempts have since been made by the friends of the French ministers, to shift from them to their master the frightful responsibility of this measure. In vain! For did not those ministers draw up that prolix and elaborate statement, submitted by them, and signed with their names, detailing all the arguments upon which they thought fit to ground their earnest recommendation of the measure they were calling down from the throne upon the nation? That document surely is not so swiftly forgotten, which was hailed with so much rapture by the sycophants of despotism all over Europe—and which, even in England, gladdened a few of the most noisy, but most despicable creatures that are suffered by Providence to crawl upon the face of the earth. They have not, assuredly, forgotten that 'firm and 'manly document'—that 'highly statesmanlike paper'—'that

'vigorous and decisive instrument, so well worthy of the great 'occasion which called it forth.' But if they have, others have not; and its authors may not find it so easy to wriggle out of it, as its admirers now do to cast it into the shade.

The shameless and profligate measure thus entirely acceptable to the lovers of despotism, produced an immediate resistance on the part of the people. All men saw that the worst of designs menaced them, and felt that there was not a moment to lose in resisting the audacious attacks upon their liberty. They stopt not to argue on the niceties of the case; they waited not the effects of discussions and publicity; they rejected, with a just and a memorable indignation, the vile proposition which some slaves dared to make, of having the question between them and their oppressors tried in the Courts of Law. Exercising the sacred and imprescriptible rights of freemen, they instantly flew to arms, well aware that they who stop to parley with tyranny, above all with military tyranny, are already subdued and enslaved. They acted at once upon the sure principle, that the only way of meeting a tyrant is in the field and the fight. They were tried, and were not found wanting. The wretches who had framed the Ordinance, backed it with armed men. The slaves of Napoleon, now of the Bourbon despot, headed the mercenaries, which Switzerland infamously hires out to shed the blood of freemen for the lucre of gain—an enormity which well deserves that those sordid states should be annihilated as an independent power. The Swiss fought against the people; but few indeed of the French soldiers could be induced to join in the fray. Now was seen that glorious sight which has filled all Europe with ceaseless admiration, and will hand down the name of Parisian to the gratitude of the latest posterity. The peaceable citizens of the capital closed their shops; left their daily vocations; barricaded the streets; tore up the pavements; armed and unarmed confronted the enemy, and poured on every side the swift destruction that awaits troops acting in a town thickly peopled by men determined to be free. The awful lesson now taught to all soldiers —the bright example now held up to all freemen—is the more worthy of being had in perpetual remembrance, because there was no discipline, no concert, no skill of any kind displayed, or required. All men had one common object, to slay the troops that dared oppose them—to embrace those soldiers that still remembered they were citizens. Several regiments of the line at once refused to act; but few joined the people. The refusal, however, was of the last importance, for it spread among the ranks of the whole army, filling the tyrants with despair, and animating the people to new feats of valour. The courage of these gallant men sur-

passed all belief. Many rushed upon the loaded guns that were pointed with savage barbarity by the bloodthirsty tyrants down streets crowded to excess. The old and the young vied with men of mature years, and women bore their share in the strife. From behind the barricades, the boys of the Polytechnic School, braving the cannon, and only seeking shelter from the musketry and the bayonets, maintained a constant fire. The multitude loaded and handed them their guns; and so steady was their aim, that of one regiment, they killed five hundred men, and all the officers save three. The slaughter of the people, indeed, was great; three or four thousand fell; but as many of the mercenaries were made to bite the dust. The victory declared everywhere for the citizens; the soldiers retreated; the National Guard was formed as in 1789, and under the command of the same gallant and venerable chief, the patriarch of the revolution in both the old world and the new;—and the Bourbons ceased to reign.

But where were the vile authors of this atrocity, while slaughter reigned on every side? Where were the men who had let loose the soldiery upon the multitude, to maintain their own power? Where were they, those 'firm and vigorous statesmen,' whose courage had been extolled in all the haunts of despotism? Where were they, when the danger was near, and there was a possibility of their lives being made the forfeit of their unheard-of crimes? This question no man can answer. No man knows where the person of the wretched Polignac was, while the battle raged which he had ordered to begin. This only is known, that he was nowhere seen in the battle, and that he and his colleagues all fled to a distance from the scene of action, in various directions. Some of them have since been taken; and if they are suffered to escape condign punishment, a premium is held out to treason against the liberties of the people, while all men know that unsuccessful efforts on behalf of those liberties lead to an inevitable fate.

The conduct of the French people on this occasion was truly above all human praise. Their moderation in victory even exceeded the bravery that gained it. No one act of cruelty stained the glorious laurels which they had won. Even plunder was unknown among the poorest classes of the multitude. A most affecting circumstance, which cannot be told without emotion, is related of those who opened the bankers' and goldsmiths' shops. The lowest of the mob were for hours among untold treasure, and unwitnessed; not a farthing—not a trinket was touched. The same persons were seen, after the fatigues and perils of the day, begging charity, that they might have wherewithal to pur-

chase the meal of the evening; and when the purses of the admiring bystanders were pressed upon them, a few pence was all they would accept! No Greek, no Roman virtue ever surpassed, ever equalled this.

In casting our eye over the magnificent picture of which we have only been able to sketch a faint outline, we must again, as in reviewing the contests of the senate which preceded the battle in the field, acknowledge the superiority of our neighbours over ourselves. It can hardly be doubted that, were any marked attempts made against the liberties of this country, the English people would in some way resist, and would, sooner or later, make an effectual stand against oppression. But it is to us equally clear, that despotism would have far too good a chance of being successful in the first instance. So many would go about preaching up prudence, moderation, peaceable measures; so prodigious an effusion of cant would be made in favour of our 'immaculate tribunals,' that the tendency would, we fear, be pretty general to have the question between the government and the people brought to issue in a court of law. Yet who can pretend to doubt, that almost all courts of law lean habitually towards the existing government? Who can doubt, that the judges are in their nature well-wishers to what they term a firm or strong government, and regard with a jealous eye all popular feeling and popular rights? Who is so ignorant of judicial proceedings, as not to know that a little new law is always forthcoming for any pressing occasion; sometimes raked up from old authorities or long-forgotten cases—sometimes derived from vague and common-law principles—sometimes boldly, and even impudently, made to suit the purpose of the hour? Who does not know that the learned judges have a way of just grinding a little law for present use—so that, though you may not always be able to tell beforehand by what route they will arrive at their conclusion, you have a pretty good guess of the side they will decide for,—namely, the crown or its officers against the people and their friends? Verily, we do fear greatly, that an appeal made to such guardians of the constitution in this country would have led to a decision in the oppressor's favour, and that at all events the House of Lords, in the last resort, would have determined in favour of the 'Noble Duke,' or the 'Noble Lord in the blue riband,' at the head of his Majesty's government. We are far from believing that this would have ended the dispute:—new encroachments would have begotten fresh remonstrance, till in the end the resistance would have been effectual, the tyrant would have been overthrown, and the successors of Judge Jeffries would have justly shared his fate. But a very long time would have been

required for all this, and much would in the meanwhile have been endured. Nay, had the government only been content with a considerable encroachment on the rights of the people, and not pushed matters to the utmost extremity, no resistance at all would have been offered; and aided by the courts of law, the rulers would have triumphed in security, so they were only moderate in their oppressions. If no such thing can now so happen, let us be well assured, that it is because of the glorious example set to us, and the fatal warning held out to our rulers, by the French people. But we deem it a duty to state these matters, painful and mortifying though they be to national pride. We are not the first of nations, perhaps, in all qualities; but in that of self-praise, self-complacency, self-exaltation, we surely far excel every people that ever existed. It is but right that, where a case occurs to mortify this pride,—to set before our eyes the reality,—we should meditate upon it, in justice to the merits of other nations, and in order to learn a lesson of humility and wisdom ourselves.

It is fit that we should now pause upon the extraordinary crisis, over the history of which we have thrown a rapid glance; and we are to consider what reflections are principally suggested by it, in two respects; first, as regards France herself; and, secondly, as regards other countries, and especially our own.

I. Nothing can be more important to the interests of France, to her liberties, and to her tranquillity, than the exemplary good conduct of the people, in both the trying predicaments in which they were placed—at the beginning, namely, and at the close of the revolution. The great promptitude with which they met the aggression upon their freedom, and the marvellous temperance with which they used their victory, almost cast into the shade the brilliant courage that secured it. Both the one and the other will be productive of inestimable benefits to France. The swiftness with which punishment followed crime, will for ages to come operate as a salutary warning to all tyrants, that they can no longer hope with impunity to encroach upon the liberties of their subjects. Men who are touched by no feelings of compassion for their fellow-creatures, influenced by no principles of public virtue, are found accessible to fear; but when a prince once permits himself to plot against his subjects, he is armed with some resolution, and he can face remote dangers, of slow approach and uncertain arrival, in the pursuit of a favourite object. His advisers, too, may be disposed to run some such risks, or at any rate to let their master encounter them. 'Things will last my time at all events,' say they; and thus mischief is hatched or counselled. But such persons have

now learnt that they have no breathing time, no respite, no opportunity of escape; they must lay their account with an instant crisis; they must make up their minds to the combat, at a moment not chosen by themselves; and the combat in question is the real, actual operation of being bodily attacked, and either slaughtered, or banished, or imprisoned and speedily hanged. It follows, that responsibility in France has become real, from being nominal; and the people of that country will not be long in finding the important advantages of the change.

But the moderation of their late proceedings is almost equally beneficial in its tendency. Had any needless violence, any bloodthirsty excesses, been committed, the natural aversion to cruelty would have produced a reaction like that of the first revolution, and made it almost impossible again to excite resistance against unjust rulers. What gave the oppressions and extortions of the Directory their unchecked course?—nay, what enthroned Napoleon on the ruins of the republic, and then sustained his despotic authority at the cost of so much suffering to the whole of the people—what but the awful recollections of the far more hideous reign of terror, and the resolution to suffer any thing rather than plunge again into such dismal scenes? The tyranny of Napoleon and his conscription gained in like manner a much longer respite for the crimes and follies of the Bourbons, than they otherwise would have had. But now the people know, that treason against the constitution may be resisted without any criminal excess; that the sacred duty of self-defence can be performed without needless violence; that the people can exact condign punishment from evil rulers with as much deliberation as the government can from rebellious subjects. The lesson upon resistance which Mr Fox wisely inculcated, is now taught in a way too striking to be erased from the memory of the French rulers. He said, that resistance was a right which the people should as seldom as possible remember, but which the government ought never to forget.

The stability of the new government will be mainly secured by the same moderation. It has thence happened that a revolution of great extent, and carried by much bloodshed, has left behind it no angry feelings, no boisterous triumph, on the one hand—no needless humiliation on the other. A people so demeaning themselves, are worthy of their rulers; and armed with the strength thus conferred on them, those rulers will do their duty by the people, trusting them liberally, but governing them so as to secure the tranquillity of the state.

It now becomes a most important question, how this tranquillity, and the permanence of a good constitutional arrangement,

may best be provided for. We throw out a few reflections upon this point with freedom, but with sincere respect for the illustrious patriots from whom we may in some particulars be thought to dissent.

It seems to us of supreme importance, that the elective franchise should be placed upon a more extended basis. So very few persons have the right of voting at present, that an occasion might arise when intrigues, either of turbulent demagogues prone to change, or of courtiers desirous to extend the royal prerogative, would, in favourable circumstances, obtain a majority in the Chambers, against the sense of the community at large. Both the stability of the throne, and the liberties of the country, would be best secured by such a reform as we are now alluding to.

A serious danger appears to impend over the state from an opposite quarter. There is an absolute necessity for arming the executive with sufficient power to render it capable of administering firmly the great functions which belong to it;—the conservation of the peace at home, and the proper representation of the nation in its intercourse with foreign powers. On this depends the security of the two greatest blessings which any state can enjoy, domestic tranquillity, and peace abroad. But after suffering so much from the grasping propensity of their princes, and experiencing so largely what their false nature is capable of, it is not unnatural for the French people to be over-jealous of the prerogative, and to close their eyes entirely upon the dangers of too weak a sovereign power, while intent upon counteracting the hazards of one too strong. Some crude, and exceedingly alarming opinions that have been ventilated in Paris, and partially repeated in this country, suggest to us the apprehensions under which we are now writing. The best and shortest way of pursuing the subject, will be at once to state these.

Much discussion took place previous to the act of settlement in favour of the Orleans branch, upon the important subject of the Nobility. It was proposed to restrain the rights of that order, in a manner unprecedented in any state where Aristocracy is at all recognised; and the abolition of hereditary rank, or confining the peerage to the lives of the persons first ennobled, was very openly proposed, and the farther consideration of the matter only postponed. It is impossible to contemplate such a change without the greatest alarm; but we even view the entertainment of the subject with apprehension; because it seems to betoken a very superficial acquaintance with the question, and a very light way of treating so weighty a concern. If nobility is to expire with each Peer that is created, what an enormous

influence is given to the crown, over the families of the Aristocracy! All men love to transmit their honours in their own blood. What Peer, then, will dare to oppose the court, especially towards his latter years, if he can only hope to leave his son noble, by gaining the favour of the sovereign, or his servants? Then, how few sons of peers will dare do their duty, when it may cost them the fall from their father's estate and privileges? A more certain method, as it seems to us, could not be devised, of rendering all the Peers subservient to the ministry for the time being; and also of enlisting, on the same side, whatever of weight and influence the families of the peers possess out of the Upper House. Yet, it is in vain to deny that this proposition was grounded upon an over-jealousy of the Crown, and a dissatisfaction with the Peers for leaning too much against the people, and in favour of the court.

We shall not detail the various ways in which it is manifest that such an arrangement would be wholly repugnant to the very nature of a Nobility. It would, in fact, convert all the Aristocracy into so many place-holders for life, without salary: it would be abolishing Nobility, and extending the number of orders of Knighthood, but with this difference, that the Knights would have legislative privileges. Who in England seeks among the Bishops for the stout opposers of the Court? Yet such a measure would make the whole Upper House bishops or peers for life. We must really take leave to say, that as long as the restrictions upon the rights of primogeniture are so opposed to the accumulation of large estates in the Aristocracy, there is no ground for alarm, lest that order should be too powerful: but this plan would not merely annihilate their power—which would be one evil—it would produce a far greater mischief, by annihilating their independence. The order would remain, with much direct legislative power, and some little influence of station; but all this power and influence would be habitually devoted to the service of the court.

Another subject of great alarm to us is the constitution of the National Guard. This is a most important body—for good or for evil, most powerful. It sprung into existence almost in an instant, during the early stages of the first revolution: 100,000 men took up arms in Paris alone, to perform the office relinquished by the distracted government of Louis XVI., of protecting the public peace. They have, of late, with the like celerity, been revived; and 60,000 men in arms were lately reviewed by the king and his generals. There are, certainly, not less than a million of these conservators of the peace, and checks upon the executive government, in all the extent of the country.

It is because we desire to see them conserve the peace, and, by the awe of their power, operate as a counterbalance to the army under the sovereign's command, that we are most anxious for the purity of the establishment. The proposal of giving them the choice of their own officers, fills us with alarm. Are thousands of armed men a fit and safe deliberative body? Is it wise to make the contest for popular favour a canvass for the command of troops? Would it be well for public men, if to gain popularity, and to have an army under their control, were the same thing? Surely these are questions to which but one answer can be given by any reflecting person. Can there be any cause of alarm if the crown shall appoint the officers, while the men are all citizens? We clearly think not; and we fervently pray that this view of so important a point may be taken in France. Far better at once say, 'We can trust no kingly government;' better resolve to have a republic in name and form, as well as in substance; because then it would be utterly impossible to have it on the principle of military election. The republican who honestly desires to see an end of all kingly rule, is grievously deceived if he dreams that the proposed scheme is the path to this consummation. It is the high-road, no doubt, to the overthrow of any given government,—regal, or aristocratic, or oligarchical, or democratic; but it takes to a point a good deal farther on—it leads direct to a military despotism.

Some things have been thrown out by way of recommending large restraints upon the royal authority. It has been proposed to limit the power of making peace and war; to restrain the number of troops by a fundamental law; to take away some of the patronage usually vested in the crown. On these and similar topics we say nothing; being quite satisfied that a little reflection, independent of the instruction afforded by our experience in this country, will convince any one how impracticable such restraints are, if the government is to be really monarchical. A free press, a reformed representation, a standing army only large enough to defend the country against foreign enemies, and its internal police in the hands of armed citizens,—these form the best and safest checks upon prerogative, the most ample security for the liberties of the people. We are all along assuming, that a limited monarchy is the kind of government best suited to the wishes and habits of the French people, and to their love of military glory—a position which, in our humble judgment, it would be wild to question. A republic would inevitably, as before, begin in anarchy, and end as before, in the despotism of some fortunate soldier.

It is certain, that, in framing a constitution, no regard is to

be had to the personal qualities of the individuals who may first be called to administer its powers. But there is one circumstance not to be left out of the account, in providing for the powers of, and restraints on, the crown—we allude to the certainty, that for some generations the King of the French will have a competitor. The ex-King of France will be a *pretender*; and more than the word is unnecessary to remind those who are acquainted with English history, how materially this circumstance tends to keep the reigning family in check, or, in the ordinary phrase, to set them upon their good behaviour.

II. The first consideration that meets us in bringing our regards homewards, and surveying the bearing of the late revolution upon our own concerns, relates to the kind of part which the English government has sustained throughout those events of which we have been sketching the history. That it labours under very grievous suspicions of having befriended the infatuated tyrant and his ministers, unfortunately admits of no doubt; and that these suspicions extend to the French nation as well as our own countrymen, is unhappily equally true. Are they, can they be, likely to rest upon any foundation? Or do they merely proceed from the known sentiments of our ministers regarding every thing free, all popular rights, all royal immunities, upon the continent? Certain it is, that, however much they may have yielded to the people at home, or rather, whatever concessions the people may have extorted from them—abroad, where they have neither parliamentary opposition, a free press, nor associations, nor public meetings, to wring from them an assent to improvements, they are found the steady and unflinching patrons of all the forms of antiquated superstition and hateful despotism. Theirs is the preference of the Turk over the Greek,—over those whom they would rather restrain in their efforts for independence, than gain the benefit of a counterbalance to Russia, where she is likely to domineer the most perilously for our own interests; and yet they hate the Calmuck, in spite of his despotic accomplishments, because, in fighting his kindred Turcoman, he must, whether he will or no, in some measure wage the war of freedom. For them it is to back the savage tyranny by which Austria has been justly said to renew, in fair Italy, the inroads of the Goths.* The faithless and detested Ferdinand, the vile, bloodthirsty Miguel, receive from them,—from the ministers of a mild monarchy and a constitutional king,

* Monti's celebrated Sonnet on the Peace:—'Che ci ha dato Iddio.'
'Gli Austriaci in Italia *Gottizando* vanno.'

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countenance and support; nay, the navy of England is prostituted by her rulers to break the known laws of nations, for the odious purpose of comforting and abetting the worser of the two most flagitious tyrants of modern times. That men, to whom despotism the most barbarous and atrocious never looked in vain for sympathy, and, as far as they dared lend it, for succour, should be deemed the natural allies of oppression in the milder form, which it put on under the Charleses and the Polignacs, can hardly be deemed very wonderful; and accordingly, we find the belief deeply rooted in every man's mind, first of all, that the English ministry favoured the formation of the late French cabinet, and next, that they approved of its misdeeds.

To these charges very inadequate contradictions, it must be confessed, have been given. One minister, and only one, in one House, and in one only, of Parliament, positively denied that the English cabinet had interfered to make Prince Polignac premier of France. We verily believe this denial. Who ever supposed that such interpositions were the acts of cabinets? Possibly, if a like denial had been given by another minister in another House of Parliament—a minister of somewhat more weight, and who could with something more of authority take upon himself to say what had not been done, the country might have been better satisfied. He, however, held his peace; and yet, if even he (though he sometimes acts like a whole cabinet, and seems to forget what in truth the public can hardly ever bear in mind, that he has any colleagues at all) had only denied 'the 'interference of the cabinet,' so plain an outlet for escape would have been left, that Lord Eldon would doubtless have excepted to the answer, and men far less astute in detecting evasions must have desiderated a far more searching denial. The phrase, *interference*, is so vague, and the phrase, *interference to make a man premier*, so much more uncertain, that no one can well say what he may not have done, who solemnly denies having done this. The English ministers were friends of Prince Polignac; they wished well to his promotion. No one denies, no one affects to deny this, even after they all see the disastrous consequences it has led to. It is possible that no direct communication may have subsisted between the English minister and the Prince upon the subject. It is barely possible that nothing may have passed in conference between the English ambassador and the Prince. It is conceivable that nothing had ever been said by the ambassador, nor any hints thrown out to Charles X. It is a thing which a man may imagine to be true—it is not mathematically impossible—that the late King of England, who cherished in his latter years a hatred of those principles of liberty in which he was

educated;—who detested the Spanish Revolution in 1823 to such a pitch, as to pour forth vows for the success of the French arms, and whose minions at Paris encouraged that detestable crusade against liberty by assurances that it was favoured by their king, and would not be opposed effectually in Parliament;—it is a thing which a man may bring himself to suppose, who yet could not believe that two and two made ten, that neither such a king, nor any of his personal favourites, furthered the suit of Prince Polignac to be premier of France. All this we will, for argument's sake, admit; and still it remains undenied, that both the court and the cabinet did mightily rejoice in that infatuated creature's accession to office; regarding, and through all their accustomed organs proclaiming, that event most auspicious to 'the cause of regular government,' as it is most hypocritically termed; in other words, to the interests of arbitrary power, and the enemies of freedom. Even one or two of the papers once liberal, but of late permitted, or permitting themselves, for wise but inscrutable purposes, to be ranged under the ministerial banners, sedulously defended the appointment, and hailed it as one auspicious to the best interests of England.

As these men and their organs began, so they went on. The opposition in the Chambers was derided by them; the resolution of all France, as well as her representatives, to reject the ministers, was stigmatized as unreasonable and factious; the necessity of the Polignac ministry to internal peace, and the security of the throne, was plainly maintained; and, when the majorities were decidedly against the government, the most sanguine hopes were held out of the results of a dissolution, by the same politicians, who had notoriously (and we now speak of the Earl of Aberdeen's department in an especial manner) conceived the most lively expectations of Old Spain reconquering her emancipated colonies, partly by the prowess of the imbecile Barradas, and chiefly by the Mexicans flocking to join his standard. The new elections having greatly increased the force of the patriotic party, and actual violence being manifestly threatened by the wretched junto in power, we will admit that, for the first time, there was some pause, some hesitation, on the part of their English friends. At any rate, no minister thought it quite safe *now* to avow himself the patron of the Bourbons. They deemed it more expedient to await the event. But if any man will say, he believes the success of their measures would have given pain to our ministry, we will tell that man, that a greater dupe does not breathe the air than he! Nay, we cannot avoid feeling a perfect conviction, that the English cabinet (there may be one or two exceptions, but speaking of the body) hoped

to see the *vigour* of the Polignacs rewarded by success, and a *firm* government, upon *true monarchical principles*, established in France. Let but the conduct of their supporters, if not their organs, be examined. The detestable doctrines of a writer, who has escaped from the country he would so fain have given a dictator to, were openly adopted by the chief ministerial Journal. The necessity of silencing the French press, and changing the law of election, was there proclaimed in round terms. It is even said that Cottu's book was originally written in English and in England, and translated into French; and the Anglicisms of the style, and the apparent originality of the passages given as translations, are cited in support of this assertion. Be that as it may, the respectable Journal to which we refer, and which is known to be under the immediate patronage of men high in office, and occasionally assisted by their pens, led the way in recommending that writer's doctrines to the people of this country, and to the French, as adapted to the state of France. The periodical works of less importance, the weekly and daily papers, with a single exception, which espouse the ministerial side of the question, adopted the same line; and weekly and daily laboured in their vocation to vilify all that the French patriots did, to defend the Polignac ministry, and to exhibit the bitterness of their disappointment at the signal failure of its late measures.

In answer to all this, how ridiculous is it to cite the recognition by the English Government of the Duke of Orleans as King of the French? Had they any choice? Could they have refused to acknowledge the King whom all France had with one voice set upon the throne? Were they prepared to summon the new Parliament, and such a Parliament as had just been returned, and to meet it with an announcement of a new war of five-and-twenty years for the restoration of the Bourbons? The idea is ridiculous; but we verily believe that the recognition of Louis-Philip I. was hastened by the loud expression of public opinion at the elections, and by the gratifying fact that no persons held more decided language against the dethroned tyrant and his ministers, than the stanch Tory supporters of the Government, and of all governments. In the face of such appalling warnings, to have refused the recognition was at once to have signed their own expulsion from office. The recognition, therefore, proves absolutely nothing. The English ministers may have made Polignac minister by direct interference—they may have prescribed his whole conduct—they may have dictated through their ambassador every Ordinance he issued—they may have sent over the draft from Downing-Street of every state paper he signed—and yet when the whole plot failed—when their tools

were driven with ignominy out of France, or detected in the plot, and shut up in the dungeons of Vincennes,—they were compelled to submit, exactly as Charles X. was. It would be precisely the same argument as is urged for our ministers, if that sovereign were to deny that he had any concern in the events which brought about the revolution, because he at once yielded to it, abdicated the throne he had polluted, and quitted the country he had vainly attempted to enslave.

The mention of that personage brings to mind another passage in the conduct of our ministers, and one not immaterial to the present enquiry. When a criminal is detected in plotting some foul enterprise, or, having attempted to carry it into execution, fails, and flies from the scene of his iniquity, does the government of this country make it a practice to receive him with open arms,—to direct that the revenue laws shall be suspended in his favour, and to give him shelter and comfort, with much deference and respect, on our shores? No such thing—and why? Because our government never avows a patronage of rapine or murder, and regards with just abhorrence the perpetrators of such crimes. Then why, we ask, has Charles and his family been received, not only with courtesy, but with a degree of favour, which no man living believes would have been shown to the most illustrious patriot that ever bled for freedom—the most venerable philosopher that ever enlarged the powers of man, or bettered the lot of humanity? Had Washington sought our shores, after resigning the sceptre which he might have held for life, possibly transmitted to his kindred, but that he loved his country better than all power—would *his* baggage have been suffered to pass without search at any custom-house quay in all England? No man dreams of such a thing. Suppose Polignac had succeeded, if any of the unoffending Parisians whom the tyrant ordered his artillery to mow down by thousands, had escaped from the slaughter he was destined to, who believes that the wreck of his fortunes would have been allowed to pass duty-free, and unexamined? Indeed, had the Alien Bill still armed our ministers with the power, such a refugee would have been sent back to certain execution by the next tide. Then why was the oppressor so differently treated? This is the question which we ask now; the question which the people of England are asking, and which it is the bounden duty of their representatives to ask. Charles X., by the very act of our government recognising Louis-Philip, is admitted by that government to be no longer a king—is ranked by that government among private persons. What right, then, had that government to treat him as a king? What possible motive could they have for thus flying in

the English people's face, and insulting the French people also, except to show ostentatiously their sorrow for his failure, and their fellow-feeling for his fate—a fate brought on by his crimes—a failure in the attempt to perpetrate the most atrocious wickedness of which a monarch can be guilty? But it was not a mere attempt. The abdicated king came among us stained with the blood of his unoffending subjects. He had ordered his soldiers to the charge; the onslaught had been tremendous; the artillery had been, with a cold-blooded cruelty, unknown to the most atrocious tyrants, brought to bear upon crowded streets, and to sweep down thousands of all ages, and of either sex. From the miserable slaughter which he had commanded, the wretched despot had withdrawn his own person to a place of safety; and, providentially discomfited, he had fled from the scene of his crimes. This is he for whom the sympathies of our ministers are speedily unlocked; for whose accommodation the laws are suspended; who is received with distinctions which would have been denied to the greatest benefactor of his kind who had never been a king, and a tyrant! What right, then, have those ministers to complain, if they are suspected of a leaning towards his designs? Do they not become accessaries after the fact, by this their conduct? If any man is seen submitting to a criminal's fellowship, whom all others detest, the conclusion is immediate, that he was a partner in his guilt, and that he has put himself in the offender's power. Are we to infer that our ministers dare not turn their backs upon their French allies for fear of disclosures? Certain it is, that a strange alacrity to get into suspicion by their conduct, has been succeeded by as strange a reluctance to disavow the charge by words. The more respectable of the treasury journals announced that the Duke of Wellington would deny the odious charge at the late Manchester meeting. His Grace made no sign. He listened to some of his adherents expressing their alarms at the progress of public opinion, and their sagacious apprehensions that the people were becoming so well educated, 'as 'to overwhelm the higher orders.' Without stopping longer than to observe, that if by *overwhelm* be meant *outshine*, a scanty portion indeed of knowledge might cause such wiseacres to be overwhelmed by any class of the community, at least on the supposition that a man's sense is in proportion to his information.* No other remark of a political cast was made. Yet, was it beneath the Duke of Wellington's dignity to defend himself by a single

* The newspapers are supposed to have greatly misrepresented one noble person's words on this occasion.

sentence of disclaimer? At least, let the ministers keep some appearance of consistency. Sir Robert Peel, in Parliament, distinctly announces, at a time when he feels how extremely insecure the hold over that assembly is, that the ministry will throw themselves upon the country, looking only to the people for support. Well, then; their chief goes to a meeting of the better classes of the people, assembled to do him a civility; and he thinks it beneath him to open his mouth in refutation of the worst charge which could be brought against a public man. He prefers labouring under it for a season, to denying it at the earliest opportunity. Is this the conduct of men who appeal to the people, and throw themselves on the country?

If, however, such be the predicament of the present ministers in respect of French affairs, such is not that of the people. With an unanimity wholly unexampled, they have suffered their delight at the late Glorious Revolution to burst forth, and to reach all the ends of the earth, in accents of applause, of exultation, of heartfelt thankfulness to the French people. The reason why gratitude is felt as well as admiration, may easily be discovered. The cause of the French is that of all freemen. If Polignac had succeeded, there would not have been wanting imitators of his conduct elsewhere. We should ourselves have had our Polignacs. No man of common sense can doubt this. But such a consummation is now, God be thanked, rendered utterly impossible. Several lessons have been taught in the *University of Paris*, which will not soon be forgotten. The soldiers of other countries have taken a degree there; it will be an honour to them, for it will make them remember they are citizens; it will be an advantage to them, for it will keep them from being exemplarily punished, and without any delay, by their fellow-citizens. The lesson which all armies have learnt is, first, that their duty is not to butcher their fellow-subjects at a tyrant's commands, in order to save a priest's favour, or a minister's place; next, that if in breach of their duty they lend themselves to such treasonable plots of courtiers, they are rushing upon their own certain destruction. For a lesson has also been taught to the citizens of all great towns, that the soldiery cannot succeed in enslaving them by force of arms. A well-inhabited street is a fortress which no troops can take, if the inhabitants be true to themselves; provided there be other streets near requiring a like attack from the military. Far be it from us to suspect the gallant soldiery of other countries of showing less patriotism, less humanity, than those of France lately displayed; but the example is encouraging to the virtuous portion of the army; the lesson, the warning, is wholesome to the profligate and unprincipled, who alone make a standing army dangerous.

Furthermore, the emancipation of France is the hope and strength of freemen all over Europe. Had she succumbed, the chance of liberty in Italy, in Spain, in Portugal, was indefinitely postponed: in England herself, a sight of much evil omen was held out to both rulers and people. The most imbecile of ministers, and the least trusted by their country, are ever ready to retreat behind the ranks of the army; ever prepared to support their power by force. But no reflecting man can now entertain a doubt, that if our rulers, untaught by the recent lessons, should ever attempt to enforce arbitrary acts by arms, the people of this country would be ashamed of being outdone by those of France in defending their most sacred liberties.

Finally, we take it to be clear, that the honest and generous emulation, which has ever made the two greatest nations of modern Europe run the same race of rivalry in improvement, will now help us in the amendment of whatever defects exist in our institutions. The people of England will not long brook any marked inferiority to their neighbours; and especially will such an eclipse be galling, if it lie in the freedom upon which they have so long prided themselves as their distinguishing and exclusive excellence. France has now a freer government than England. This truth must be told. Shall we not make such improvements as may restore us to our pristine station, and regain for us what Milton called 'our prerogative of 'teaching the nations how to live?' The people have but to will it, and the thing is done. Such ministers as the present, have at least the recommendation of utter inability to resist the tide of popular opinion. They are, it is true, wholly unfit to lead the public sentiment; altogether impotent to carry through great measures of themselves; but if the country decrees a thing to be done, be it right or be it wrong, they have no power to resist. Reform within certain limits is the right thing which they must now do, or rather suffer to be done. What though all the present cabinet be deeply pledged against it? What though Sir Robert Peel has of late come forward, somewhat ostentatiously and very needlessly, to deny representatives to the great towns? So did he, for many a long day, refuse the Catholics and the Dissenters their rights; and in a few weeks, continuing quite unconvinced,* as he declared, he, and his principal, himself as

* This declaration of Sir Robert Peel is certainly by far the most strange that any public man ever made. He had surely opposed the Catholic question from a conviction that there was more mischief in granting than in withholding it. Then, if his opinion remained, as he solemnly and repeatedly asserted, unchanged, he was, for some reason or other, induced to grant

stout an enemy to the repeal, came round—right round about, and carried the grand measure through Parliament, as it was said, '*triumphantly*,' to the no small benefit of the empire, if not to the immortal renown of the senate or its leaders. So will such men yield again, if the people desire it; perhaps they will even volunteer the measure of reform, in order to keep their places a little longer; and they are surely well worth having at such a price. Religious liberty, received as a *fine* upon renewing the lease of office one year; law reform for the next year; reform of Parliament for a year longer—never sure did landlord make a better bargain, or poor tenant pay more handsomely! It will not be hard to find some fourth fine fit to be exacted when this third year shall be out.

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what it was more mischievous to give than to refuse. What could *induce* any man to do it? What *right* had any man to act so? It won't do to say that circumstances were altered—for that is saying that the question is safer given than refused; and he declares his opinion to be unaltered, and that the mischiefs preponderate. What then *can* Sir Robert Peel have meant? We know very well that his enemies say, he means only that he preferred giving up his opinion to giving up his place. We believe no such thing; and we mean no such thing; but we cannot comprehend what he means, and we believe he had no distinct meaning when he made the very incomprehensible statement. At all events, he must *now* allow, and he ought in a manly way to say, that he was wrong from the first. For his argument was that the emancipation was full of danger and risk; these are prospective words, and they mean that the measure would lead to mischief if carried. Carried it has been; what was the future is now the past; no mischief whatever has ensued. Five or six members in England, and as many in Ireland, are Catholics; there's the whole evil we have encountered to pacify Ireland! Does Sir Robert Peel say that the evil may yet arrive? Then he should tell us at least how, if not when; or he is like the Jew who waits for the Messiah, (and ought, therefore, says this statesmanlike reasoner, to be excluded from Parliament and from office,) or the Portuguese who is looking for the return of King Sebastian from Africa. Had he not far better admit, what most men now see, and all men of candour believe he sees, that he was in error from the first? He put himself at the head of a party in church and state which wanted a leader, and had in those days much more power than they now have. And he took their creed with the command. He afterwards found he had paid too dear for the station, and abandoned both, to the great benefit of the country, and his own great and lasting honour. His way of doing so is another matter; so is his wholly inexplicable opposition to Mr Canning in 1827. These are the dark parts of his conduct; and these, we take it, never can be cleared up, although further services and new sacrifices of prejudice may tend to efface them from our memory.

ART. II.—*A Narrative, by John Ashburnham, of his attendance on King Charles I. from Oxford to the Scotch Army, and from Hampton Court to the Isle of Wight, never before published; to which is prefixed, a Vindication of his Character and Conduct from the Misrepresentations of Lord Clarendon.* By his lineal descendant and present representative (The Earl of Ashburnham.) 2 vols. 8vo. London: 1830.

THE groundwork of this publication is a narrative by John Ashburnham, groom of the bedchamber to Charles I., of his attendance on that monarch from Oxford to the Scottish camp before Newark, and of the assistance he subsequently rendered his royal master in his flight from Hampton Court to the Isle of Wight. To this narrative is prefixed a short account of the author, by his editor and representative, the present Earl of Ashburnham, and appended to it are various documents in confirmation of its truth. There is, besides, a preliminary volume by the editor, in justification of his ancestor from the injurious aspersions of his fame, propagated, if not invented, by the Earl of Clarendon.

Whether we view this performance as a vindication of John Ashburnham, or consider it in the light of a minute and critical dissection of Lord Clarendon's character as a man, and of his accuracy and fidelity as an historian, it is a work of no inconsiderable merit. It is written, indeed, in a careless, discursive manner, with little regard to style or method; but it displays much acuteness of argument and patience of research, and throws a new, and very probable, light on many obscure transactions of the times. It is full of wit, sarcasm, and allusion, and rather prodigal in the use of irony and banter. Readers indifferent to the reputation of John Ashburnham may peruse it with pleasure and instruction.

By comparing Lord Clarendon's history, and his biographical account of himself, with the state papers and other documents, erroneously described as the materials and authorities for these works, Lord Ashburnham has shown, that in many instances the noble historian has suppressed or disguised the truth; that he has frequently given a false colour to the transactions he relates; that, writing for effect and trusting to his memory, he has been often betrayed into inconsistencies and inaccuracies; and that in his representations of individuals, he has been biassed, by his prejudices and resentments, to distort the characters he delineates. These charges, be it observed, are made by one who partakes in the political sentiments of Lord Clarendon, and who professes, and indeed proves himself, to have been at one time

a blind admirer of his virtues. They are brought forward by the editor, not for the invidious purpose of lowering the reputation of the High Church and Tory historian, but from anxiety to vindicate the fame of his ancestor from the hints, surmises, and insinuations, with which Lord Clarendon has laboured, and not unsuccessfully, to blacken the memory of that gentleman. If, in the discharge of this pious duty, Lord Ashburnham has overstepped the boundaries of defensive warfare, and carried hostilities into the quarters of the enemy; if he shows Lord Clarendon to have been greedy of money, not at all scrupulous or delicate in his modes of acquiring it, and when questioned on the subject, defending himself by equivocations tantamount to falsehood; if he exhibits him as not unwilling to profit by the roguery of his inferiors, though careful not to seem conscious of the transaction or participant in the fraud; if he finds him blaming severely, in other persons, acts of which he had himself been guilty, studious of his ease and pleasure, at the expense of his public duties, employing the agency of others to obtain ends, which he was ashamed openly to avow, disguising from his most intimate friends the real motives of his conduct, professing to reject what he desired, and contriving to have honours and emoluments forced on him apparently against his will; if he represents him forgetful of kindnesses, but tenacious of resentments —vain, peevish, and presumptuous—haughty to his inferiors, and obsequious to those above him—flattering in letters, that were never meant for the public eye, those he has abused in his works—mean in his professions of service, and protestations of devotion, where he passes himself for a blunt, boorish, uncompromising stoic;—let it be remembered, that Lord Ashburnham was led to these detections by a natural and laudable desire to rescue his ancestor from unmerited reproach, and that, by exposing them to the public, he has taken from the accusations against John Ashburnham their efficacy and sting, by unveiling the duplicity, disregard of truth, and systematic hypocrisy of the statesman and historian, from whose character, credit, and authority, they derived their force and venom. But let us hear Lord Ashburnham's vindication in his own words.

'It may be objected,' says his lordship,* 'that there is here 'an attack on Lord Clarendon, rather than a defence of John 'Ashburnham. The answer submitted is, that in cases where 'no positive facts have been adduced in proof, and where none 'in disproof are now adducible, where the charge is raised sole'ly on unsubstantial allegations, and unauthenticated deposi-

* I. 105.

'tions; these are entitled to our belief no further than the ascer-
'tained characters of the accusers or deponents are deserving
'of our deference and respect.' After reminding his readers that it is from Lord Clarendon's own words—from 'his con-
'fidential, and even confessionary, communicativeness;' from 'a cento of passages collected from his writings,' that he exhibits him as one who had 'outwitted his contemporaries, and 'duped his two successive sovereigns;' Lord Ashburnham indignantly exclaims, ''Twas strange, 'twas passing strange, [and 'is it not pitiful—wondrous pitiful?] thus to read, not in the tone 'of contrite confession, but of boastful avowal, these (Lord Cla-
'rendon's!) self-applauding reminiscences,—to be told of repeat-
'ed derelictions of the most sacred duties to the King, and con-
'sequently to the country, as if they were but the venial vagaries 'of a truant schoolboy, and of personal advantages and unim-
'parted benefits, meanly secured by the hazardous agency of 'others, without risking his own, as though such were the laugh-
'ably mischievous tricks of wanton, yet harmless childhood— 'to behold him, with exulting complacency, pointing out the 'contrasted discordance between the ostensible objects, and the 'real motives, of his own ministerial counsels; at one time with-
'out a blush unveiling his own deceit; at another, shamelessly 'exposing his own duplicity; and thus, unconsciously, holding 'himself out to the world, a warning spectacle, to show how 'self-injurious is the indulged pruriency of an overweening self-
'conceit—how suicidal the uncurbed license of garrulous ego-
'tism.'* 'Let it be remembered,' adds his lordship, 'that in all 'courts of justice, as it is allowed to the advocate, so it is his 'bounden duty, to avail himself of the two most powerfully 'efficacious pleas, which can be urged to the invalidation, if not 'to the rejection, of the testimony against the accused, by esta-
'blishing the existence of a particular enmity, or general laxity 'of adherence to truth, in prosecutor or witness.'†

That Clarendon entertained a private animosity against Ashburnham, is apparent from many passages of his works. When he mentions the name of that gentleman, there is commonly annexed to it some slighting or disparaging expression. He seldom relates an action of Ashburnham, without insinuating somewhat to the prejudice of his honesty or capacity. He declares, indeed, that if obliged to deliver his opinion of the conduct of Ashburnham, in the escape of the King from Hampton Court to the Isle of Wight, he must acquit him of 'premeditated trea-
'chery, corruption, or disaffection.' But the apparent candour

* I. 109. † I. 111.

of this declaration receives an abatement, when it is considered that the charge itself has no other foundation than his own misstatements and insinuations. If he applies a balsam to the wound, it is to a wound of his own inflicting;—if he furnishes an antidote to the poison, it is to a poison of his own concocting;—if he acts the part of the good Samaritan, it is by relieving the traveller he had previously robbed. One fact alone shows the inveteracy of his dislike to Ashburnham, and proves, at the same time, that Ashburnham was neither conscious of his aversion, nor deserving of it. On the disgrace of Lord Clarendon at court, and his threatened impeachment by the Commons, the sycophants, who had adored his fortune, deserted him in his adversity. Ashburnham, though in the service of the King, was one of the few who showed him respect in his misfortune. For this anecdote we are indebted to a casual notice in Evelyn's Diary. But, notwithstanding this mark of honourable and disinterested regard, it is in the pages subsequently written during his exile, that Clarendon has committed to paper some of the passages most injurious to Ashburnham's fame.

The causes of this implacable antipathy, which neither time, nor his own calamities, nor the attentions of Ashburnham, could soften, are in part accounted for by the present editor, in a manner not very creditable to Lord Clarendon. From a passage in Clarendon's biographical account of himself, it appears that, before the commencement of the civil wars, Ashburnham befriended Sir John Colepepper, and employed his means of intercourse with the King for the advancement of that gentleman. Colepepper and Clarendon were new men at court, and owed their introduction to their abandonment of the popular party. They were competitors for royal favour, and at first Colepepper had the advantage; which Clarendon seems to have attributed to the influence of Ashburnham on the King's mind. At a subsequent period, he accuses Colepepper of aiding and abetting Ashburnham in what he chooses to call an invasion of his office as Chancellor of the Exchequer. However slight these grounds of offence, they seem to have rankled in the breast of Clarendon, and in a mind retentive of anger to have settled in a fixed aversion towards Ashburnham. He could not forgive the man, who, possessing, as he repeatedly tells us, the entire confidence of their master, served his rival in preference to himself; and, though the alleged invasion of his office tended to the immediate service of the King, he tells us himself that he took it 'very 'heavily,' and hints that it left in his mind a permanent 'jea-'lousy and coldness' towards Ashburnham and Colepepper.

An incident that occurred after the Restoration rekindled and

added fuel to his resentment. Charles II., tired of Secretary Nicholas, who was advanced in years and decayed in faculties, and desirous to have Sir Henry Bennet for his secretary of state, employed Ashburnham, who was the friend of Nicholas, to persuade the old secretary to resign his office, on receiving a suitable remuneration for his long and faithful services to the crown. Ashburnham, who seems to have had no other motive for the part he acted than obedience to the King, and desire to benefit his friend, found no difficulty in succeeding, and, as agent for Nicholas, obtained for him twice the sum which the King had originally proposed as a compensation for his voluntary retreat. The affair was conducted and concluded without the knowledge of Clarendon, neither the King nor Secretary Nicholas choosing to confide to him the arrangement they were making. He was hurt at this want of confidence, and alarmed at the introduction of Bennet into the council; and though he had no ground of complaint against Ashburnham, he resented his agency in the transaction, and imputes to him motives for his conduct, which nothing he has related serves to justify.

Ashburnham, 'as entirely trusted by King Charles I. as any 'man in England,' had been for many years attached to his Majesty's person. So early as the expedition to the Isle of Rhé, he is familiarly termed Jack Ashburnham, in a letter from the King to the Duke of Buckingham. In 1628, he had the appointment of groom of the bedchamber, and continued in that situation till the arrival of the King at Newcastle, under the escort of the Scottish army. He was then sent abroad by his royal master, in order to withdraw him from the resentment of Parliament; but in the following year, when the King had fallen into the hands of the army, he was permitted to return and resume his former employment at Hampton Court. He afterwards assisted the King in his escape to the Isle of Wight, and continued for some time with him at Carisbroke Castle; and, when a second time separated from his master, he remained concealed in the neighbourhood, engaged in schemes for his Majesty's deliverance. Detected in this occupation, he was seized, and committed to Windsor Castle, from which he was liberated at the particular request of the King, in exchange for a Parliamentary general, and a whole bevy of Essex squires. He was one of thirty-seven of the royal party excepted from pardon by the Parliament; and of the persons named by the King to assist him in the conferences at Newport, Ashburnham and Legge were the only individuals to whom permission was not accorded. Under the Commonwealth and Protectorate his treatment was less merciful than what was usually shown to the vanquished cavaliers.

Clarendon, indeed, asserts the contrary, but without the slightest foundation in truth. One half of Ashburnham's estate was required as a compensation for his delinquency; several years were passed by him in different prisons; and when at liberty, he was harassed by committees of government, in order to extract from him the names of the persons who had privately assisted the King with money to make war against his Parliament.

On the Restoration, Ashburnham was replaced in his situation of groom of the bedchamber, and seems to have held it, without farther advancement, till his death, in 1671. While in the service of Charles I., he was employed in various negotiations, both public and secret; and for some time he acted as treasurer and paymaster of the army. He was member of the Long Parliament, and of that very different assembly elected soon after the Restoration.

John Ashburnham appears to have been inviolably attached to the King, and from long intercourse with his royal master, to have imbibed, and retained with pertinacity, all the prejudices and opinions, that predominated in the mind of his sovereign. When the King was refractory to the counsels of prudence, Ashburnham seems to have encouraged him in his obstinacy, and to have been as blind as his master to the inevitable consequences of his folly. Submission to the royal will, when explicitly declared, seems to have been one of the articles of his creed; and such were his notions of the duty of subjects, and of the rights of kings, that he waited only an order from Charles to assassinate the man whom he had brought, without sufficient assurance of his fidelity, into the presence of his sovereign. That he was not thought destitute of capacity, the charges with which he was intrusted sufficiently testify. That he was either devoid of ambition, or endowed with no superior parts, his continuance for more than forty years in the subordinate station of groom of the bedchamber, without any higher elevation, seems an indisputable proof. Like most warm partisans, he seems to have had one rule for estimating his friends, and another for judging of his adversaries. Though he sometimes stoutly denies, at other times he relates with complacency, the deceptions practised by the King, and seems to consider them innocent, if not laudable arts; but nothing can exceed his indignation at what he calls the faithlessness and ingratitude of the opposite party. With more than the courtly prejudices of one nurtured in the lap of royalty, he is surprised and confounded, when those, who had fought against the King, were not ready to sacrifice their principles and connexions, on the first overtures of grace that Charles manifested towards them, though wrung from his necessities, and

obviously contrary to his wishes. He seems to have had no conception of any public principles, but loyalty and duty to his King; and, with his royal master, to have thought, that by gratifying the interest and ambition of his opponents, he could at any time detach them from the great national cause in which they were engaged.

Ashburnham's Narrative begins with his attendance on Charles from Oxford to the Scottish camp before Newark. He gives a brief account of the unsuccessful attempts made by the King to seduce the Parliamentary officers from their duty, and informs us in more explicit terms than had been done by any former historian, of the deceit practised by his Majesty on his Privy Council, whose approbation of his secret departure from Oxford he obtained by making them believe it was his intention to go to London, and surrender himself to the two Houses of Parliament; when in truth he had determined to throw himself on the Scottish army, in the vain expectation that his presence in their camp would rekindle sentiments of loyalty in their bosoms, and induce them to espouse his cause in opposition to their former friends and confederates. Having failed to subdue his enemies in Parliament with the aid of his English partisans, it was his plan, by overreaching the Scots, to engage the two nations in civil war. How he failed, and how coldly he was received by his Scottish subjects, need not be told. He found himself a prisoner in their hands, and became speedily so disgusted with his situation, that before he left Newark, he had meditated another flight; and but for the refusal of Mr Pierrepont to meet Ashburnham, he would have sought refuge in the English camp, and voluntarily placed himself in the situation to which he was afterwards reduced at Newcastle, when delivered up by the Scots into the hands of the Parliamentary Commissioners.*

Ashburnham joins with Clarendon in reprobating the conduct of the Scots, and abusing them for their breach of faith in violating the engagement, which Montrevil, the French agent, had contracted for them in the King of France's name. On this point, we think, great injustice has been done to our countrymen; and as it is a subject on which the Editor of the present volumes has not thought fit to expose the misrepresentations of Clarendon, our readers will excuse us for enlarging upon it.

None but an infatuated royalist, devoid of religious zeal, or incapable of estimating its force in persons of a different persuasion from his own, could have supposed for a moment, that the Scots, who had engaged in the war as auxiliaries of the English

* Narrative, ii. 81.

Parliament, with the view and expectation of establishing their beloved Presbytery in England, would change sides on his Majesty's apparition amongst them, and commence hostilities in his favour, against their former allies, while there remained a reasonable hope of obtaining the end for which they had taken up arms. To us the attachment of the Scots to Presbytery may appear as extravagant and unreasonable as the King's devotion to Episcopacy seemed to Montrevil and Colepepper. But, in judging of their conduct, we must take into account the fanaticism of the age, and try them, not by our principles and opinions, but by theirs. To them it seemed indisputable, that the Presbyterian doctrine and discipline were conformable to the word of God, and to the example of the purest churches. As such, they considered it a religious duty to maintain their church government at home, and to extend and establish it abroad; and though smarting from recent persecution, they were as little disposed as the Anglican Church itself, to tolerate sectaries or schismatics. At a subsequent period, the growing power of the Independents made them relax from their pretensions; but when Charles sought refuge in their camp, nothing had occurred which could induce him to expect that they would desist from their darling object, or even consent to tolerate by law any form of worship but their own. On this point they were more bigoted than even Charles, who had been brought to a reluctant acquiescence in the toleration of sectaries; though he still thought, or pretended to think, that government by bishops was essential to Christianity.

Clarendon, indeed, tells us, that a formal engagement had been contracted with Charles by the leaders of the Scottish army, through the agency of Montrevil, the French resident in Scotland, by which they bound themselves to receive and protect his Majesty, and those who accompanied him to their camp, and all who should afterwards 'come to him and join them for his Ma-'jesty's preservation;' and undertook to 'employ their armies 'and forces to assist his Majesty in the procuring of a happy and 'well-grounded peace, for the good of his Majesty and his king-'dom, and in the recovery of his Majesty's just rights.'*

If there was any truth in this story, the conduct of those who authorized Montrevil to contract such an obligation, and afterwards violated their engagement, when the King had acted upon it and placed himself in their hands, would be utterly unjustifi-

* Clarendon's History, v. 387.

able. But it is one of Clarendon's fabrications, and, like many stories of his invention, it is refuted by the papers collected, and left for publication, by himself.

He tells us, that Montrevil, after he had waited on the King at Oxford, went to the Scottish camp at Newark, and having found the commanders of the army, and even the committee from the Scotch Parliament, disposed to relax from the rigour of their former demands, that he there 'prepared a paper, to be 'signed by himself, and sent to the King, as his engagement,' which he communicated to the leading persons in the camp, and having received their approbation of its contents, that he sent it to the King.*

According to this account Montrevil's engagement was prepared at Newark, submitted to the leading persons in the Scottish army, approved of by them, and afterwards transmitted to the King at Oxford. But when we look to the engagement itself, as published in the Clarendon papers,† we find that it was drawn up at Oxford, *before* Montrevil went to the Scottish army, and was left with the King at Oxford, in exchange for a paper of the same date, which Montrevil was to take with him to Newark, wherein the king entered into a solemn promise, that none should accompany him 'to the Scots, or meet 'him there, who were excepted by those in London, but only 'his two nephews and John Ashburnham.' As a trait of disingenuity characteristic of Charles, it may be added, that two copies of this promise were given to Montrevil; one, which of course was to be kept secret, containing 'a protestation, that 'all the servants of his Majesty, and all others who adhered to 'him, should be saved from ruin and public disgrace;' the other, which Montrevil was to make public, having no stipulation of the sort. But, what is material to the present point, it appears from a comparison of dates, that the promise of the King and engagement of Montrevil were written and signed at the same time, on the 1st of April 1646, *before* Montrevil went from Oxford to the Scottish army. If any doubt on the subject could remain, it would be removed by the publication before us, in which Ashburnham distinctly asserts, that he and Secretary Nicholas, who were both with the King at Oxford, had been witnesses to the signature of the French agent.‡ It was not, in truth, till the 3d of April, as we learn from Sir William Dug-

* Clarendon's History, v. 385-87. † ii. 220.
‡ Narrative, ii. 83.

dale's Diary,* that Montrevil left Oxford for Newark, his engagement having been signed and deposited with the King two days before his departure.

Such being the fact, what becomes of the circumstantial story told by Clarendon, that after much intercourse and discussion with the Scots, the engagement was drawn up by Montrevil at Newark, and communicated through confidential persons to the leaders in their councils and army, before it was dispatched to the King at Oxford? That no paper of any sort, sent by Montrevil after his arrival at Newark, reached his Majesty, for more than a fortnight after the departure of that gentleman from Oxford, appears from a letter of Secretary Nicholas of the 18th of April, in which we find the following passage: 'The King 'commands me to tell you, that in all this time he hath not 'since your departure received any despatch or message from 'you at all, which much troubles him.'† The first letter, which the King received from Montrevil, dated on the 16th of April, from Southwell, the head-quarters of the Scottish army, seems to have arrived at Oxford on the 22d; but, instead of confirming the conditions stipulated in the engagements, it is full of complaints against the Scots, and gives his Majesty plainly to understand, that he must not hope for their co-operation, unless he is prepared to establish in England their religion. Ashburnham, indeed, alluding to this letter, states from recollection, that it contained a paragraph to the following effect: 'that he (Mon-'trevil) was confident all things would now have a happy con-'clusion; for that the Chancellor of Scotland (chief commis-'sioner at London) had given a meeting (about Northampton) 'to the commissioners of the armie, and had fully satisfied them 'in all particulars of the treaty.'‡ But, when we turn to the letter itself, we find in it directly the reverse. Montrevil says, that he *had* entertained hopes of matters being still brought to a favourable conclusion, 'et qu' en suite de l'entreveu du Chance-'lier d'Escosse et le Comte de Dumferlin et du —— à Roys-'ton, tout ce que sa Majesté avoit desiré, *et ce que je lui avois* '*promis, se pourroit* exécuter:' but he adds, that after long delays, all they had agreed upon was a plan for escorting the King to their camp; and, though far from recommending this measure, he is of opinion that, if nothing better can be devised, his Majesty's person will be in safety in their hands. They refuse to permit any of his forces to accompany him; but are willing to re-

* P. 84.
† Clarendon, State Papers, ii. 223.
‡ Narrative, ii. 78.

ceive his two nephews and John Ashburnham, a
by the English Parliament to deliver them up, t
afford them facilities of escape, which they accord
case of Ashburnham. So far from joining with
will not consent to that nobleman being appoi
to France, but have no objection to his going ar
the Presbyterian government they are inexora
for its establishment, 'Pour ce qui est du gou
'térial ils désirent que sa Majesté le leur acco
'ment qu'il se pourra.' 'Voila,' says the
'compte qu'ils (ont) fait ici de l'engagemer
'tre, et des promesses que j'avois eues de
'et tout ce que j'ay pû tirer d'eux de m
'débats, et les choses qu'ils dirent d'ab
'plus rudes.'*

Clarendon's falsification of the date a
engagement has escaped the vigilance
to have attracted the observation of H
has given us the best historical view
the time of Charles I., is misled on
in Clarendon. He tells us that M
of the Scottish army at Newark fa
King, thought himself at liberty t
King of France, that they would
sovereign, protect him and his
sist him with all their might fo

The error of this statement,
ingenuous, if not treacherous,
reign, is refuted by the fact,
signed before he went to N
departure from Oxford, he
fusal of the Scots to ratify
with the full knowledge of
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plaint, when they decline
with the terms which, fr
price of their co-operati

To what cause are w
of the inventive talent
tred of the Scots, who
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* Clarer
† *Hist.*

his zeal for the Anglican Church was permitted to slumber when other interests were at stake, appears from the measures he adopted to conceal his royal master's reconciliation with the Church of Rome. But, having deceived the Presbyterians by the declaration from Breda, he never forgave the party he had wronged.

How Charles, after the letters he received from Montrevil at Newark, could commit himself to the Scots, unless he had made up his mind to comply with them in church government, is inexplicable on any rational principle; and can only be accounted for by his desperate situation at Oxford, after he had failed in his attempts to seduce the Parliamentary army, and received more than one refusal to his insidious proposition of a personal treaty in London, without any preliminary conditions settled with the two houses of Parliament. That he was not induced to take this step from confidence in the engagement signed by Montrevil, he afterwards admitted in writing to that gentleman; and, that the honour of the French crown might not be implicated in the result of the transaction, he gave him back at Newcastle, the original engagement, reserving only a copy for himself.*

In drawing up the engagement he left with the King at Oxford, Montrevil must have known that he had no authority to make such promises on the part of the Scots. His previous language with respect to their views and intentions, in letters to his own court, as well as in his correspondence with the King, is uniform and consistent, and utterly at variance with the engagement he signed at Oxford. His despatches to Brienne, written soon after his arrival in London, express his conviction that no assistance is to be expected from the Scots, unless they are gratified in the matter of religion;† and in a letter to the King, after his first journey to Oxford, he acquaints his Majesty with the dissatisfaction of the Scottish and English Presbyterians at the reply he had made to the overtures from Paris, assures him that they will not depart from the conditions they have demanded, and exhorts him earnestly to compliance.‡ In a subsequent letter, of the 5th of February, he relates a confidential conversation with the Scotch commissioners in London, in which they state, that even if they were disposed to relax on the subject of religion, they could not bring the Scottish nation to acquiesce. 'C'estoit une affaire à laquelle il faudroit faire consentir leur 'nation tout entière, et une partie de celle cy;' and, after warn-

* Thurloe's State Papers, i. 88. † Ib. i. 71.
‡ Clarendon's State Papers, ii. 212.

ing the King against the dangerous projects of the Independents, he concludes by saying,—'Il ne reste plus qu'à sa Majesté de 'contribuer de sa part, en envoyant icy et en Escosse les choses 'qui ont esté demandées.'*

Ashburnham makes Montrevil assert, that 'what he had done 'at Oxford, was by particular power given him by the Scotch 'Commissioners at London.'† But this statement of Ashburnham, like his quotation from Montrevil's letter, must be incorrect, as the preceding extracts from that gentleman's correspondence abundantly show. All the letters of Montrevil from London are in the same strain. They are filled with exhortations to the King, representing the necessity of yielding on religion, as the only means of recovering his crown. It is possible that some persons in London may have promised more than they were able afterwards to perform. It is so asserted by Montrevil, in his letters to Brienne, from Newcastle, in the following year, where he threatens to publish the names of those who had failed in their engagements. But that they were few, and that they were persons misled by their zeal in the King's service, appears from a remark of Sir Robert Murray on that occasion, which seems to have prevented the intended exposure:—'Qu'il n'en 'retireroit aucun avantage que de mettre en peine deux ou 'trois personnes qui ont essayé de le servir.'‡ What were the promises violated, and who were the promise-breakers, does not appear. Lauderdale was not one of them, if it be true, as he assured Burnet, that he had always dissuaded the King from committing his person into the hands of his countrymen.

There can be no doubt that Montrevil was guilty of unpardonable rashness and presumption in the engagement he signed at Oxford. If we may credit Clarendon, the Scots at Paris had authorized the Crown of France to engage for them, that they 'should perform all that *they* should promise,'§ but not all that the King of France or M. de Montrevil chose to promise in their name; and that Montrevil had no authority from them to promise what he engaged to the King, is apparent by his own letters, both from London and from Newark; and is confirmed, instead of being invalidated, by the vague manner in which he afterwards complains of their breach of faith,—stating no particulars wherein his own letters are not evidence against him.

It is possible, after all, that the engagement signed by Mon-

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* Clarendon's State Papers, ii. 213, 215.
† Narrative, ii. 83. ‡ Thurloe, i. 87.
§ Clarendon, History, v. 351.

trevil at Oxford may have been merely a diplomatic stratagem. He may have thought that the Scots at Newark would be brought more easily to terms, when they were told that promises had been made on their behalf by the King of France, whose mediation they had previously solicited. The facility with which the original of the engagement was given back by Charles, shows the little value he set upon it; and his written acknowledgment to Montrevil, proves that it had no influence in determining him to go to the Scottish army.

Of the history of M. de Montrevil we must say a few words; as Lord Clarendon has thought proper to invent a pathetic account of his harsh and unjust treatment from Mazarine, in which there is hardly a word of truth. It was not in the beginning of 1646, as asserted by Clarendon, but in summer 1645, that Montrevil was sent to England. The chief object of his mission was to conduct a secret negotiation with the Scotch Commissioners in London, for which overtures had been made to the Queen by their countrymen at Paris. He found these gentlemen well disposed for peace, and inclined to treat directly with the King. In a despatch to Brienne, dated 31st of August, 1645, he states as the general opinion in London, that the best course for the King was to close with the Scots; but he adds, 'Mais je pense 'qu'il seroit nécessaire pour cela de permettre l'établissement 'de la religion Escossoise en Angleterre;'* and to that opinion he ever after adhered. In January 1646 he went from London to Oxford with a proposition for the establishment of the Presbyterian religion in England, which had received the sanction of Henrietta Maria and of the Queen Regent of France. Charles refused to give up Episcopacy, but offered to submit all ecclesiastical differences to a synod of divines, and to grant to his Presbyterian subjects the free exercise of their religion in England. With this answer Montrevil went back to London, to resume his negotiations with the Scotch and English Presbyterians; and while he remained in that city, he maintained an active, though secret, correspondence with the King and Secretary Nicholas. Having at length, with some difficulty, and after much delay, obtained a passport from Parliament to go to Scotland by the way of Oxford, he returned to that city, remained for some days with the King, and, having signed his engagement on the 1st of April, on the 3d he set out for Newark. From Newark he accompanied the Scotch army to Newcastle, and on the 17th of May he embarked in a Dutch vessel for

* Thurloe, i. 71.

France. On his arrival at Paris, instead of being disgraced by the French government, he was sent back to Newcastle, where he arrived in July. In the following August he was stopped at sea in his return to France; but was set at liberty by order of the Parliament, and allowed to pursue his journey. In December 1646, he repaired to Edinburgh by order of his government; and, in the succeeding month, we find him again at Newcastle, in daily and confidential intercourse with the King. When his Majesty was delivered up to the English Parliament, Montrevil went a second time to Edinburgh as resident from France in Scotland, and remained there till June 1648, when he obtained a passport to go to London. He appears to have quitted England finally in September 1648, after having applied in vain for permission to visit the King in the Isle of Wight. 'De sorte,' says he, 'que je pars presentement avec quelque sorte de gloire, ayant 'ainsi été appréhendé de tout un royaume, et avec un bon 'témoignage de la fidelité que je conserve pour leur prince.' *

It thus appears, that so far from being 'discountenanced' by Cardinal Mazarine on his first return to France, he was sent back to England, and employed for more than two years as a diplomatic agent. Nor is it true, as Clarendon asserts, that after his last return, he was 'forbid to remain at Paris, and lay 'under a formal declared dislike till his death, which, with 'grief of mind, shortly ensued.' † Instead of this melancholy termination of his mortal career, he resumed, on his arrival in France, the employment he had formerly held of secretary to the Prince of Conti; and when the Princes of Conde and Conti, and the Duke of Longueville, were imprisoned by Mazarine in 1650, he was actively engaged at Paris in measures for their liberation, and appears to have been intrusted with the most confidential negotiations of their party. Death surprised him in 1651, soon after the Princes were set at liberty, not 'in grief of 'mind,' but in the fair prospect of honour and advancement. De Retz mentions him with praise; and Moréri has dedicated a long article to his life, and taken the trouble of transcribing the pompous epitaph engraved on his tomb.

The second and most important part of John Ashburnham's narrative relates to the King's escape from Hampton Court to the Isle of Wight, and to his own sufferings from the victorious party, on account of his loyalty and devotion to his sovereign. But on these subjects we must refer our readers to Lord Ashburnham's Commentary, in which we think he has fully justified

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* Thurloe, i. 99. † Clarendon, History, v. 283.

his ancestor's integrity from the calumnious misrepresentations of Lord Clarendon, and others who have followed his lordship in the impression he has given of Ashburnham's character and conduct. With regard to the flight from Hampton Court, which has been so unjustly and severely criticised, Lord Ashburnham has shown, that the King was induced to adopt that measure, not from levity or impatience, but in consequence of the apprehensions he entertained for his life; and that these fears, whether well founded or not, were insinuated into his mind by Cromwell and his adherents. He thinks, that the object they had in view by these manœuvres was to terrify the King, and drive him out of the country; and that they were led to this policy, from despair of coming to an agreement with him themselves, and apprehension that he might close with the Presbyterian party, and accomplish their destruction. That Cromwell and Ireton intended at one time to restore him to his royal dignity on more favourable terms than had been offered him by the Presbyterians, seems undeniable; but they were deterred from the prosecution of this design by his obstinacy and insincerity, and by the averseness of their fellow-soldiers to co-operate in the plan. Division in the army was ruinous to their power, and having vainly attempted to lead, they were content to follow, and assist in the execution of schemes which they had endeavoured ineffectually to prevent. Ashburnham calls them 'the most 'faithless of mankind;'—forgetful or ignorant of the duplicity of his royal master, who had negotiated by turns with every party, and negotiated with all at once, in the hope of destroying his enemies by one another, and of ultimately sacrificing them all to what he considered his just resentment. It is plain, from the whole course of his reign, that Charles was so completely satisfied of the justice of his cause, and so thoroughly convinced of his indefeasible right to the prerogatives he claimed, that, however ready to cajole his adversaries and employ them as instruments for the recovery or maintenance of his power, he considered himself absolved from all obligations towards them, and at liberty to retract, when convenient, all promises and engagements, extorted from his necessities, but in his opinion derogatory from his rights. With a prince acting on such principles, there could be no security for the public or for individuals but in his expulsion from the throne.

When informed of his Majesty's fears for his life, and of his determination to quit Hampton Court without delay, Ashburnham dissuaded him from leaving the kingdom, and advised him to make his escape into the city, and throw himself on the pro-

tection of the citizens and of the Scotch Commissioners. The latter were consulted, and approved of the scheme, but refused to come forward and take an active part in it. Ashburnham then suggested the Isle of Wight, as a place where the King might remain concealed, and from which he might escape to Jersey, if necessary, in an open boat. This plan was adopted; but on the road it occurred to the King, who had some private knowledge of Hammond, governor of the island, that it would be prudent in the first instance to sound that gentleman, and ascertain how he stood affected. Ashburnham and Berkeley were despatched on this mission. The imprudence of Berkeley divulged to Hammond the important fact, that the King was concealed in his neighbourhood; and if it be true, as Charles afterwards said to Sir Philip Warwick, that Ashburnham 'wanted at that 'time courage, whom he never knew wanting it before,' nothing remained, but to bring the governor into the King's presence, or to submit themselves to be his prisoners, without the possibility of giving their royal master notice of their situation, and warning him to consult his safety by immediate flight.

We shall not follow Lord Ashburnham in his comments on the conduct and character of Hammond, and on the occurrences that took place in the Isle of Wight. He has shown satisfactorily that the King might have escaped from Carisbroke Castle if he had been so disposed; and that John Ashburnham, instead of being suspected of treachery by the royalists, enjoyed their confidence till his death. On these points he has left nothing to desire.

Not content with vindicating his ancestor, and convicting Lord Clarendon of innumerable inaccuracies, mistatements, and contradictions, Lord Ashburnham is lavish in his censures on Sir John Berkeley. It is impossible to excuse that gentleman for the imprudence of his first communication to Hammond; but in other respects, he seems to have been the most judicious and sensible man of the party, and the only one who had a just view of the King's real situation and danger. His Memoirs, which Lord Ashburnham has very properly republished with John Ashburnham's Narrative, contain many excellent observations; and must convince every unprejudiced reader, that with the sanguine, indiscreet, and impracticable character of the King, it was impossible to render him any effectual service, or avert the catastrophe that ensued.

Lord Ashburnham is in general so minutely accurate, that we are tempted to point out one mistake into which he has fallen. In his argument about the Lucas peerage, he casts a doubt on the

story told by Clarendon to the disparagement of his ancestor,* because that peerage was conferred in January 1645, and must therefore have been granted after the final separation of Clarendon from the King; which is stated by that historian, in his account of his own Life, to have taken place on the 4th of March, 1644. He forgets that Clarendon uses the old style in his writings, and, consequently that what he calls the 4th of March, 1644, was in reality the 4th of March, 1645,—a date posterior to that of the Lucas peerage, which was granted on the 3d January, in the 20th of Charles First, that is to say, on the 3d of January, 1645. His remarks on Clarendon's story seem in other respects just and well founded.

ART. III.—*Transactions of the Geological Society of London.* Second Series. 4to. Vols. I. II. III. London: 1824-1829.

THE earth is one of eleven planets which revolve round the sun. It has been demonstrated by mathematicians, that all the little irregularities, arising from the mutual actions of the planets on each other, run through regular periods, and then vanish. So that these motions, for any thing which we know to the contrary, may continue for ever, without any real alterations in the mutual distances between the sun and planets. How long they have continued already we do not know. Man, as an individual, lives only about 80 years; and all our knowledge would be confined to that short period, were it not that every generation has the power of bequeathing all the information which they acquire to their posterity. It is this happy power, derived from language and the knowledge of writing, that renders the improvement of mankind progressive, and thus distinguishes the human race from all other animals. But mankind can trace their history no farther back than 6000 years—a small speck in eternity. Shall we conclude, as some have done, that the solar system was brought into existence only about 6000 years ago? Or did it exist before the human race made their appearance on earth? The science which attempts to answer this difficult question, is called *Geology*. It is comparatively modern. The structure of the earth engaged the attention of some men of science soon after the middle of the 17th century; but at that time mineralogy, zoology, botany, and comparative anatomy, had not made sufficient progress to supply the requisite data.

The great distinction between the primary and secondary

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* I. 65.

rocks, which constitutes the first true step of Geology as a science, was made by Lehman, about the middle of the 18th century; while the descriptions of various tracts of mountains by Pallas, Deluc, Saussure, and others, served as a kind of introduction to the knowledge of rocks. Werner, having studied the structure of a part of Saxony, by a happy boldness, conceived the idea of applying this structure to the whole of the earth. He affirmed that it consisted of a certain number of layers or coats, lying everywhere in the same order with respect to each other; so that, whenever we meet with one of these layers, we may be certain of finding the next in the series immediately above, and the one preceding it in the series immediately below.

Though this generalization was necessarily imperfect, it was attended with very important advantages. It induced geologists to examine the relative position of rocks with respect to each other. This could not be done without an accurate knowledge of their structure. Hence it became necessary to ascertain the nature and component part of every species of rock, to distinguish each by a name, and to determine its relative position. The enthusiasm with which Werner knew how to inspire his pupils, induced a great number of eminent men to devote themselves to these investigations. The consequence was, the publication of geological descriptions of a great number of countries. Germany was the first which benefited by these descriptions. But they were gradually extended to Italy, France, Hungary, Great Britain and Ireland, America, and even to large tracts in Asia, and some in Africa. These researches were of great importance. They familiarized geologists with the different appearances of rocks, threw much light on their relations to each other, and led to unavoidable discussions and conjectures respecting the way in which they were formed. Two grand opinions were propagated on this subject, which divided the geological world into two great parties, distinguished by the names of Neptunists and Plutonists; the former ascribing the origin of rocks to *water*, the latter to *fire*. The first opinion was strenuously supported by Werner and his followers. The second was maintained by Dr Hutton of Edinburgh, and a few eminent men, chiefly confined to Scotland, whom he had brought over to his opinions. The most conspicuous of these were the late Professor Playfair and Sir James Hall; the former of whom gave great popularity to the Huttonian doctrines by the eloquence and ability of his expositions; while the latter rendered some of the boldest of them both plausible and probable, by a set of well-devised and ingeniously executed experiments. From the

two leaders of the different views, the two geological sects into which this country was divided, were very frequently distinguished by the names of Wernerians and Huttonians.

The discussions between these two parties were kept up, for a considerable number of years, with much zeal on both sides, and not without considerable advantage to the science. The Huttonians, from the necessity they were under of defending their opinions against a set of antagonists much better acquainted with mineralogy, and much more familiar with the characters and constituents of rocks, found themselves obliged to study both mineralogy and rocks, and thus became acquainted with many important facts and phenomena which their more ignorant predecessors had overlooked or disregarded. While the curious facts which they brought forward respecting the connexion of rocks with each other; the alterations induced in one rock by the proximity of another; the position and appearance of granite and trap veins; the extraordinary convolutions of the mica-slate and clay-slate rocks, &c., gradually forced themselves upon the attention of the Wernerians, and obliged them to relinquish many opinions as untenable, which they had supported at first with much obstinacy and eagerness.

We now know that the opinions both of the Wernerians and Huttonians were too bold and too general. Each had their strong, and each their weak points. It is now universally admitted, that most, if not all the rocks which constitute the crust of the earth, have undergone alterations since the original creation; and that the action both of fire and water upon them, is indisputably evident. But our knowledge of the structure of the earth, and especially of its internal structure, is still too imperfect to allow us to theorize, without the risk, or almost the certainty, of going astray, and of substituting hypothesis and conjecture, instead of legitimate deductions from phenomena. The great object of geologists at present ought to be, to determine the different *strata* or *formations* (to employ a Wernerian term, which has come into general use) of which the crust of the earth is composed; the extent of these formations, and their relative connexion with each other.

The person who appears to have first hit upon the proper mode of investigating them, and of establishing their identity when situated at great distances from each other, was Mr Smith, well known by his geological map of England and Wales. Mr Smith was a practical mining engineer in the neighbourhood of Bristol, and had probably been engaged in superintending some of the coal mines in that district; the best calculated of any in Great Britain to draw the attention of an observing

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rocks, which constitutes the first true step of Geology as a science, was made by Lehman, about the middle of the 18th century; while the descriptions of various tracts of mountains by Pallas, Deluc, Saussure, and others, served as a kind of introduction to the knowledge of rocks. Werner, having studied the structure of a part of Saxony, by a happy boldness, conceived the idea of applying this structure to the whole of the earth. He affirmed that it consisted of a certain number of layers or coats, lying everywhere in the same order with respect to each other; so that, whenever we meet with one of these layers, we may be certain of finding the next in the series immediately above, and the one preceding it in the series immediately below.

Though this generalization was necessarily imperfect, it was attended with very important advantages. It induced geologists to examine the relative position of rocks with respect to each other. This could not be done without an accurate knowledge of their structure. Hence it became necessary to ascertain the nature and component part of every species of rock, to distinguish each by a name, and to determine its relative position. The enthusiasm with which Werner knew how to inspire his pupils, induced a great number of eminent men to devote themselves to these investigations. The consequence was, the publication of geological descriptions of a great number of countries. Germany was the first which benefited by these descriptions. But they were gradually extended to Italy, France, Hungary, Great Britain and Ireland, America, and even to large tracts in Asia, and some in Africa. These researches were of great importance. They familiarized geologists with the different appearances of rocks, threw much light on their relations to each other, and led to unavoidable discussions and conjectures respecting the way in which they were formed. Two grand opinions were propagated on this subject, which divided the geological world into two great parties, distinguished by the names of Neptunists and Plutonists; the former ascribing the origin of rocks to *water*, the latter to *fire*. The first opinion was strenuously supported by Werner and his followers. The second was maintained by Dr Hutton of Edinburgh, and a few eminent men, chiefly confined to Scotland, whom he had brought over to his opinions. The most conspicuous of these were the late Professor Playfair and Sir James Hall; the former of whom gave great popularity to the Huttonian doctrines by the eloquence and ability of his expositions; while the latter rendered some of the boldest of them both plausible and probable, by a set of well-devised and ingeniously executed experiments. From the

two leaders of the different views, the two geological sects into which this country was divided, were very frequently distinguished by the names of Wernerians and Huttonians.

The discussions between these two parties were kept up, for a considerable number of years, with much zeal on both sides, and not without considerable advantage to the science. The Huttonians, from the necessity they were under of defending their opinions against a set of antagonists much better acquainted with mineralogy, and much more familiar with the characters and constituents of rocks, found themselves obliged to study both mineralogy and rocks, and thus became acquainted with many important facts and phenomena which their more ignorant predecessors had overlooked or disregarded. While the curious facts which they brought forward respecting the connexion of rocks with each other; the alterations induced in one rock by the proximity of another; the position and appearance of granite and trap veins; the extraordinary convolutions of the mica-slate and clay-slate rocks, &c., gradually forced themselves upon the attention of the Wernerians, and obliged them to relinquish many opinions as untenable, which they had supported at first with much obstinacy and eagerness.

We now know that the opinions both of the Wernerians and Huttonians were too bold and too general. Each had their strong, and each their weak points. It is now universally admitted, that most, if not all the rocks which constitute the crust of the earth, have undergone alterations since the original creation; and that the action both of fire and water upon them, is indisputably evident. But our knowledge of the structure of the earth, and especially of its internal structure, is still too imperfect to allow us to theorize, without the risk, or almost the certainty, of going astray, and of substituting hypothesis and conjecture, instead of legitimate deductions from phenomena. The great object of geologists at present ought to be, to determine the different *strata* or *formations* (to employ a Wernerian term, which has come into general use) of which the crust of the earth is composed; the extent of these formations, and their relative connexion with each other.

The person who appears to have first hit upon the proper mode of investigating them, and of establishing their identity when situated at great distances from each other, was Mr Smith, well known by his geological map of England and Wales. Mr Smith was a practical mining engineer in the neighbourhood of Bristol, and had probably been engaged in superintending some of the coal mines in that district; the best calculated of any in Great Britain to draw the attention of an observing

elevation of temperature, as we descend in mines, is owing to the existence of a central fire—such as was conceived by Dr Hutton and his followers, and from which they deduced many remarkable phenomena, that characterise some of the most important of the primary and flœtz trap rocks. We do not know how far this opinion of Cordier has been adopted by Geologists. But we must pause upon the phenomena presented by the temperature of mines, before we can embrace it. The existence of hot springs has been explained in the same way—the temperature depending upon the depth below the surface from which the spring proceeds.

If the increase in the temperature of mines, as we descend in them, were owing to the existence of a central fire, it ought surely to follow that those parts of the earth which are nearest the centre, should be the hottest. But as the poles are twelve miles nearer the centre than the surface of the earth at the equator,—a difference much greater than the depth of the profoundest mine,—and as the surface approaches nearer and nearer the centre in proportion as we advance from the equator towards the poles—if the increased temperature in mines were owing to a central fire, it is quite obvious that the temperature of the earth ought to be regulated by that central fire, and that, therefore, the temperature should increase as we recede from the equator, and be highest at the poles,—which is directly contrary to matter of fact.

But there is another circumstance, no less deserving of attention. The mines at Newcastle are situated below the level of the neighbouring ocean. Those in Cornwall are partly above and partly below the level of the Atlantic. Those at Freyberg, being situated in the centre of Germany, and in a mountainous country, are at a considerable height above the surface of the ocean. And some of the South American mines, whose temperature has been given us by Humboldt, are at least 9000 feet above the Pacific Ocean. Yet the elevation of temperature as we descend in these mines, follows the same law in all—or at least the deviations have nothing to do with the elevation of the mine above the surface of the ocean. Indeed, the water at the bottom of the sea in South America, is not near so hot as the temperature of the water pumped up from the bottom of the mines. Yet it is much nearer the centre of the earth, and equally screened from radiation. It ought, therefore, if the temperature were derived from a central fire, to be hotter.

It has been ascertained by very decisive observations, that this increased temperature of mines only continues while the mines are working, and that when they are abandoned, their

temperature, however deep, soon sinks to the mean of the place where they are situated. For these important observations, we are indebted to Mr Moyle; who examined several Cornish mines, while working and after they were abandoned, and noted the difference of temperature. The Oatfield engine-shaft, at a depth of 182 fathoms, had a temperature of 77° while the mine was working. A few months after the mine had been abandoned, the temperature at the same depth was 66°. Many months after, the temperature was tried again, and found to be 54°; and this temperature was found uniform throughout the water. The temperature in the abandoned mines of Herland and Huel Alfred, was found, the former 54°, and the latter 56°, and this at all depths. The working of these two mines being resumed, the water was drawn out, and Mr Moyle examined it, during the operation, to the depth of 100 fathoms, without finding any increase of temperature. We are indebted to Mr Moyle for many similar observations; but these are sufficient to show, that the increase of the temperature of mines as we descend, only holds good while they are in activity, and that when they are abandoned, they gradually acquire the mean temperature of the place where they are situated. This increase of temperature, then, cannot be owing to the action of a central fire, but must be ascribed to some other cause. Now, what is that cause? Let us take a single mine, and analyze the sources of heat in it, that we may see how far they are competent to produce the elevation of temperature.

In the month of February 1819, the depth of Dolcoath mine was 238 fathoms, and the temperature of the water pumped up from its bottom was 84°, or 33° hotter than the mean temperature of Redruth, where the mine is situated. The quantity of water pumped up daily of that temperature was 535,173 gallons, or nearly 4½ millions of pounds.

The number of workmen employed in the mine was 800. They were divided into three bands, working each eight hours; so that the number of individuals always in the mine was 266. Now the heat evolved from 266 men, would be sufficient to elevate the temperature of 4½ millions of pounds of water about one degree.

The candles burnt in the mine amounted to 6000 pounds a-month, or at the rate of 200 pounds per day. The heat evolved by the combustion of 200 lbs. of candles, would elevate the temperature of 4½ millions of pounds of water about 0.7 of a degree.

The gunpowder employed in blasting the rock, amounted to 2600 lbs. in the month, or 86⅔ lbs. per day. Now the heat from

the explosion of 86⅔ lbs. of gunpowder would not raise the temperature of 4½ millions of pounds of water more than $\frac{1}{10}$th of a degree.

Thus it appears that the heat from the individuals in the mine, from the candles burnt, and the gunpowder exploded, would not elevate the temperature of the water pumped up out of the mine more than two degrees of the 33°, which constituted the difference between its temperature and that of the place where the mine was situated.

But there is another source of temperature which must not be overlooked, and which is probably adequate to produce all the elevation of temperature observed in the mine. This source is the more important, because it must increase with the depth of the mine, and therefore occasion a greater elevation of temperature the deeper we go, as is observed actually to be the case. This source of heat, too, may, and probably does, vary considerably in different mines; and thus may occasion the variations in the rate of increase of temperature, so conspicuous in different mines situated even near each other, and which could not therefore be accounted for by the agency of a central fire. Every mine, while working, requires to be ventilated, otherwise the workmen could not continue in it. Now, this ventilation consists of a current of air constantly passing through the mine. It is obvious, that this current must consist of air from the surface of the earth at the place where the mine is situated. We shall not enquire at present how this current of air is produced, various methods being employed in different mines, according to circumstances; but that it always exists, is too obvious to require any proof here. Now, as this air passes from the surface to the bottom of the mine, it becomes more and more compressed. Its temperature, in consequence, must be continually increasing, and, of course, it must be always giving out heat to the walls of the mine, and to the water with which it comes in contact. The heat given out at the bottom will be greatest, because there the compression is greatest. The greater the quantity of air thus condensed, and the more rapid the current, the greater will be the quantity of heat evolved. This, we are persuaded, is the true cause of the elevation of temperature as a mine increases in depth. When a mine is abandoned, the ventilation gradually ceases, and the air in a mine becomes stagnant; thence the temperature will sink, and will at last reach the mean temperature of the place. But this diminution of temperature will, for obvious reasons, go on very slowly.

The rocky masses of which the earth, so far as we can examine it, is composed, may be divided into three great classes; namely,

1. Primary; 2. Secondary; 3. Trap. Let us take a cursory view of these three grand divisions.

I. The Primary rocks contain no remains whatever either of animals or vegetables. They are of little use, therefore, as far as our researches respecting the antiquity of the globe, and the changes to which it has been subjected since the creation, are concerned. Yet these rocks present some phenomena of a remarkable kind, and leave little doubt that many of them, at least, have undergone changes since their original creation. And as these changes probably took place before the earth was inhabited either by vegetable or animal bodies, they serve to fix another element in the history of this globe. At first, it was destitute both of animals and vegetables; and certain alterations, visible in the primary rocks, must have taken place before the temperature was suited to the existence or well-being of any inhabitants. The primary rocks usually occupy the central chains of the loftiest mountains of the earth. All the other formations bear against their sides; or at least the primary rocks dip down below all the secondary, and approach nearer to the centre of the earth. But to these general remarks there are many exceptions. The whole of Scandinavia, with a few limited exceptions, consists of primary rocks. Yet a great part of that peninsula is quite flat and level, and elevated but little above the surface of the sea. The highest ridges of the Pyrenees are not primary, but secondary rocks, consisting of limestone, having the remains of animal bodies petrified in it. Many of the secondary rocks occur also on the Alps. And if we believe Humboldt, there is no rock in the Andes more than 10,000 feet above the sea which is not volcanic. We cannot, then, determine whether a rock be primary or secondary by its height above the sea, but solely by its nature and connexion with other rocks.

The primary rocks consist essentially of six different formations; namely, granite, gneiss, mica slate, clay slate, quartz rock, primary limestone.

Granite is a very hard and beautiful rock, composed of quartz, felspar, and mica, each in more or less perfect crystals, and agglutinated together without any cement. The quartz is usually white or grey. The felspar consists of two distinct mineral species, which, till of late, were confounded together; namely, felspar, and albite. The felspar is white, or flesh red, or brown, or green. The albite also varies in its colour. The mica is brown or black, or sometimes nearly colourless. Sometimes hornblend is substituted for mica. The granite is then called syenite, and was considered by Werner as a rock lying farther up in the series than granite; but this does not appear to be confirmed by

subsequent observations. In Scotland, granite extends from Aberdeen, along the south side of the Dee, as far west as Ben-Nevis, and indeed to the west coast of Scotland. It appears also at Port Soy, in Banffshire, and extends south; but whether it unites with the east and west band in Aberdeen and Inverness-shire, we have not examined. The greatest portion of the eastern part of the county of Sutherland consists also of granite rocks. Four patches of it appear in the south of Scotland, running in a straight line from the Criffel, near Dumfries, to Goatfield, in Arran, through Galloway.

It was the opinion of Dr Hutton, that granite had been formed from other rocks, by the application of a heat sufficient to produce fusion; and that the fused mass, having consolidated slowly, and generally under a great pressure, crystallized. It must be admitted, that many appearances make this explanation of the origin of granite by no means improbable. It has been shown that those rocks which are in the immediate neighbourhood of granite are altered in their texture, and rendered harder, as if they had been subjected to the action of heat. Veins of granite have been traced penetrating a great way into the neighbouring rocks, so regular, so long, and so thin, that it is not easy to form any other conception of their origin, than that they had forced their way into the rock in which they occur in a state of fusion. The granite seams at St Michael's Mount in Cornwall, and the veins at Glen Tilt, are examples familiar to British geologists.

Gneiss, like granite, is composed of quartz, felspar, and mica. These substances are arranged in alternate layers, giving the rock a slaty structure. Werner and his disciples affirm, that this rock lies immediately above granite. But this observation certainly does not hold, at least universally. At Strontian, in Argyleshire, the lead vein passes through a mountain, one side of the vein being granite, and the other side gneiss. Nor can any leaning of the one of these rocks on the other be observed. Nor does it hold with any of the gneiss rocks between Strontian and Ben-Nevis. Almost the whole of Scandinavia is gneiss; not elevated, but almost flat. Gneiss seems in many cases to come in place of granite. The Huttonian explanation of the origin of granite, will not apply equally well to the origin of gneiss. The rock is distributed extensively; and, in all probability, is more intimately connected with mica slate (into which it gradually runs) than granite.

The position of the layers of gneiss is very conspicuous, in consequence of its slaty structure. When a large portion of gneiss is exposed to view, as on the side of a hill which has been worn

away by the action of the sea, we often perceive its layers incurvated in an extraordinary manner. To account for this incurvation, the Huttonians have supposed that these rocks were softened by heat; and while they were in this pliant state, compression was applied to the two extremities, so as to force them nearer each other. But mica slate and clay slate are subject to the same incurvations, which have been accounted for in the same way. The explanation is certainly plausible, much more so than any that ever has been offered by Werner or his disciples. But there are circumstances, which render it exceedingly doubtful whether the hypothesis of softening by heat and compression, plausible as it is, be really consistent with the phenomena which it undertakes to explain. We shall mention one fact, out of many which might be enumerated. About two miles south from Oban, in Argyleshire, upon the sea-shore, near the ferry to Kerrera, there is a bed of clay slate, elevated but little above the surface of the sea. This clay slate has a very dark colour, and is traversed by numerous veins of quartz. This circumstance probably has made it more easily acted on by the waves of the sea, to the action of which it is frequently subjected. It has been cut so deep on one side, that a very good section is afforded exhibiting its structure. It consists of a cylinder of about fifteen feet in diameter. This cylinder is formed of seven layers of clay slate concentric to each other, and enclosing a small cylinder, apparently consisting of clay slate. Now, there is no softening and pressure that could have given origin to such a cylinder. Had the clay slate consisted originally of seven beds lying horizontally above each other—had these beds been softened and bent up, so that their two extremities met, a hollow cylinder would have been the consequence. But here there is no hollow. The innermost cylinder is very small, and the cylinders become of larger and larger diameters as they approach nearer to the outside.

Mica slate, the third of the primary formations, is composed of quartz and mica. It is gneiss deprived of felspar. The mica is very abundant. Mica slate lies usually over granite.

Clay slate lies over mica slate. It is obviously intimately connected with mica slate; but the constituents in it have become so small, that they are no longer to be distinguished by the eye.

These four primary formations follow each other pretty regularly in the order in which they have been named; but quartz rock and limestone are not so regular in their position. Quartz rock occurs most commonly in beds along with mica slate and clay slate. But Dr Macculloch has described a large tract of country in the

north of Scotland, extending from Glen Elg, opposite to the Isle of Skye, to Cape Wrath, in Sutherlandshire. It is in length about one hundred miles, and in breadth about thirty. The basis of this tract is gneiss, constituting a hilly country, with an elevation varying from 100 to 1500 feet, and often presenting a table land of considerable elevation. On this base are placed various mountains, either detached from each other, or collected in groups. These mountains rise to a height varying from 3000 to 3700 feet. They present a great variety of appearance, sometimes round-backed and smooth, sometimes rising into peaks, with escarpments as bold and rugged as those of the Arran mountains. These mountains are stratified, and composed of what has usually been termed red sandstone; consisting of grains or crystals of quartz cemented together by red clay. It is very hard. It alternates with gneiss and clay slate. It contains no vegetable or animal remains, and therefore is primary. It is, doubtless, a variety of the quartz rock series.

Farther south on the coast of Argyleshire, at Oban, there occurs a peculiar kind of sandstone—not yet noticed by geologists, but certainly entitled to rank among the primary rocks, since it alternates with them, and contains no fossil remains of vegetables or animals. The west coast of Lorn, from Dunstaffnage to Gallochan, bears evident marks of extraordinary alterations. A considerable portion of this coast consists of pretty steep rocks, about 300 or 400 feet above the sea-shore, and distant from 300 yards to a few feet from the sea. These rocks bear the most evident marks of having been washed by the sea, and worn away at a height at least thirty feet above the present high-water mark. It is clear, therefore, that either the sea has subsequently sunk, or the mountains been elevated at least thirty feet. The second of these alternatives only can be adopted.

The primary sandstone or conglomerate of Oban, makes its appearance about five miles north from that village; constituting a range of hills which runs east and west, on the north side of the Connel ferry. The little hill called Berigonium, considered as a vitrified fort, consists of this sandstone. The low islands at the mouth of Loch Crerar, and the hill on which Dunstaffnage Castle stands, are of the same materials. It continues all the way to Dunolly, which also stands upon a rock composed of the same conglomerate. About a furlong north of Dunolly, the upper part of the cliff retires back a good way from the sea, leaving a space not unlike the Undercliff in the Isle of Wight. The rocks on the beach are still conglomerate above, but below, they assume the appearance of a hard, purplish, slaty

sandstone, intermixed with water and pebbles. This sandstone is stratified, the beds varying in thickness from an inch to several feet. It dips east under the conglomerate: the dip amounts to about one foot in twenty-four. At Oban the conglomerate rocks retire backwards, and form the high ground which protects the village on the east. It may be traced as far south as Gallochan, being occasionally interrupted by thick basalt dykes. It constitutes also very conspicuous beds in the opposite island of Kerrera. This conglomerate consists of a congeries of water-worn and rounded stones, of very various sizes; sometimes seven feet in diameter, sometimes as small as a pepper-corn. They consist of fragments of the primary rocks of which that part of Argyleshire and the neighbouring county of Inverness are composed; viz. granite, clay slate, felspar, quartz, Ben-Nevis porphyry, &c. This rock, containing no petrifactions, and being immediately in contact with the primary formations, must be itself considered as primary. How far it is connected with the primary red sandstone of Dr Macculloch, we do not know; but we have mentioned it somewhat particularly, because hitherto it has not been noticed by geologists, nor has it found a place in any geological arrangement which we have seen.

Primary limestone belongs to that variety to which mineralogists have given the name of *granular foliated.* It usually admits of a polish, and constitutes the different kinds of marble so well known as building stones, or destined for ornamental purposes. Its position with respect to the other primary formations is not very constant. It is rarely found under granite, but it frequently alternates with mica and clay slates. Primary limestone often constitutes great mountains. This is the case with a good part of the Apennines, and of the mountains of Greece. It occurs also in the Pyrenees and Alps, and in many other places.

The secondary formations are distinguished by the remains of animals and vegetables which they contain. They are more interesting than the primary, because the nature of their remains furnishes us with data to determine a series of changes to which the globe has been subjected, since it began to be inhabited by animals and vegetables. The secondary formations have been divided by geologists into two grand sets; namely, the inclined secondary, and horizontal secondary formations.

II. The inclined secondary formations lie immediately above the primary rocks, and are only distinguished from them by the presence of petrifactions. The lowest of them were grouped together by Werner under the name of *transition* formations, from a notion which he seems to have entertained, that they

were deposited just when the earth was passing from an uninhabited to an inhabited state. These consist chiefly of grey wacke and grey wacke slate, and of a transition limestone. The chain of transition hills in Scotland, extending from St Abb's Head to Loch Ryan, contains also abundance of greenstone, which is, therefore, likewise a transition rock.

Grey wacke is a sandstone composed of fragments of quartz, felspar, lydian stone, and clay slate, and connected together by a basis of clay slate, often exceedingly hard, or much more siliceous than common. Or it is a siliceous clay slate, containing numerous fragments of quartz, felspar, &c. The imbedded masses seldom exceed a few inches in diameter. Grey wacke usually alternates with grey wacke slate, constituting a very great number of beds, which are commonly very much inclined, or sometimes almost perpendicular, as if they had been pushed up from a horizontal position by a force exerted from below. The petrifactions are usually found in the slate—seldom in the grey wacke. Grey wacke slate cannot be distinguished from primary clay slate, except by its situation and its petrifactions. All the Welsh slate, so much used for roofing, is transition. The same remark applies to the clay slate in the neighbourhood of Plymouth. The Scotch and the Cumberland slates are primitive. There is a beautiful example of the alternations of grey wacke and grey wacke slate at Habbie's How, in the Pentland-hills, near Edinburgh.

The next of the inclined secondary formations is called old red sandstone. We believe that new red sandstone, one of the horizontal secondary formations, has been very frequently mistaken for old red sandstone. Thus the sandstone in Berwickshire, Dumfries, Cumberland, and also the red sandstone in Angus, Perthshire, and Inverness-shire, is not the old, but the new. We believe that the true old red sandstone is connected with grey wacke. Yet at Saltcoats we have traced the red sandstone passing under the coal-beds; it must, therefore, be old red sandstone. Hence we have little doubt that the red sandstone in Arran, the Cumbraes, Ayrshire, and probably Renfrewshire, belongs to the old red.

The next formation is mountain limestone, which lies immediately under the coal-beds, and seems in some rare cases to alternate with these beds. It forms a conspicuous rock in Derbyshire; and in Cumberland, in the lead-mining district, most important beds of this limestone alternate with the coal measures;—important, because it is in them that most of the lead ore, so abundant in that district, is found.

The coal-beds constitute the highest of the inclined secondary

formations. They consist of beds of sandstone, slate clay, and coal, alternating a great many times with each other, and generally extending, without much variation, over a considerable space. Sometimes mountain limestone is intermixed with these beds; and sometimes, though very rarely, beds of greenstone, or even of basalt, are said to occur. Beds of ironstone, or hydrous carbonate of iron, are more common, especially in this country; though that ore occurs more frequently in the coal beds, under the form of detached nodules.

In the Northumberland coal-field, 240 beds occur, constituting a thickness of 4035 feet. Of these, 32 are beds of coal, 62 are sandstone, 17 limestone, (all of which, however, occur in the lead measures,) and the remainder consist chiefly of slate clay.

The Edinburgh coal-field consists of 337 beds. Of these eighty are coal beds, eight limestone beds, and the rest are alternations of sandstone and slate clay. Altogether they constitute a thickness of about 5000 feet.

The Bristol coal-field is 4440 feet thick. It contains thirty-one beds of coal, mostly very thin, yet they are wrought with profit.

III. The horizontal secondary formations lie above the inclined, and, of course, are all higher up in the series than the coal measures. They have been divided into four great series, or sets of formations. These are—

1. The new red sandstone, including the magnesian limestone, and Dolomitic conglomerate of Buckland. The magnesian limestone is the Zechstein, or Alpine limestone of the Germans, and the first flœtz limestone of Werner. It lies immediately over the coal. It varies much in its nature in different places, and presents rather a parallelism than identity of deposit. On the Continent, it rarely contains magnesia—in England, almost always.

The variegated, or new red sandstone, constitutes the second branch of this formation. It exhibits a series of friable sandstones and argillaceous marls, in which a red colour, varied by streaks and spots of a greenish yellow, &c. prevails. This sandstone prevails in the lower members, and is associated with conglomerate beds. Gypsum and rock salt occur in it, as they do also in zechstein. Sulphate of strontian occurs in it in nodules. It occupies a very considerable space both in England and Scotland.

2. The next of the horizontal formations is what has been called the great oolite. It follows immediately the new red sandstone. It consists of a series of alternating deposits of clay and limestone, of a texture considerably more earthy and less com-

pact than those of the preceding epochs, and often oolitic. The following Table exhibits the names and order of the various beds in this formation, as they have been determined by English geologists.

1. Lower oolite.
   - *a.* Lias, and lias marl.
   - *b.* Calcareo-siliceous sand.
   - *c.* Numerous oolitic strata, occasionally subdivided by their argillaceous beds, and distinguished by various local names.

2. Middle oolite.
   - *a.* Great Oxford clay, or clunch clay.
   - *b.* Calcareous sand and grit.
   - *c.* Oolitic strata associated with coral rag (pisolite of Smith.)

3. Upper oolite.
   - *a.* Argillo-calcareous formation of Kimmeridge and the vale of Berks (oak-tree clay of Smith.)
   - *b.* Calcareous sand (Shotover Hill.)
   - *c.* Oolitic strata of Portland, Tisbury, and Aylesbury.
   - *d.* Argillo-calcareous Purbeck strata.

The lias seems to be the same as the muschelkalk of Werner; it is the lowest bed of the series, and lies immediately over the new red sandstone. It consists chiefly of carbonate of lime, but it is tougher than common limestone.

3. The formation lying immediately over the oolite has received the name of green sand, from the green colour which it frequently displays. This formation is of no great extent. It lies immediately under the chalk. It consists of the following beds, lying over each other, beginning with the lowest:—

(1.) Beds of sand highly charged with peroxide of iron, associated occasionally with coarse limestone. The iron sand of the English geologists.

(2.) Blue marl.

(3.) Beds of sand usually coloured green, but occasionally brown, containing many petrifactions in the state of chalcedony.

(4.) Marl.

The sand of this formation often assumes the form of a kind of sandstone, to which the name rag is given, with some epithet indicating the locality; for example, Kentish rag.

4. The last of the horizontal secondary formations is the chalk, so extensively distributed in the south of England and in France, and constituting so beautiful a district of country. It consists almost entirely of low hills, remarkable for their smooth rounded outline, and for the deep hollows and indentations in their sides. The highest chalk hill in England is rather

under 1000 feet. The chalk formation consists of three subordinate beds. The lowest is called chalk marl. It is a mixture of clay and chalk, and is easily distinguished by the property which it has of falling to pieces when moistened with water and allowed to dry.

The second subordinate bed is called hard chalk. It has the aspect of chalk, but the hardness of limestone. The finest exhibition of this formation is the hard chalk in the north of Ireland, in the county of Antrim, immediately under the great trap deposit. It contains as many flints as usually occur in the soft chalk.

The third and uppermost subordinate bed is the soft chalk, which, in the south of England and in France, is by far the thickest and most abundant of all the beds belonging to this formation.

IV. The beds lying above the chalk have been particularly examined in the neighbourhood of Paris, the neighbourhood of London, the Isle of Wight, and one or two other places. They consist of a numerous series of beds, differing very much from each other in different places, and the identity only recognisable by means of the fossils which they contain.

V. Still newer than the beds over the chalk are certain deposits in caverns, which Dr Buckland considers as having been formed at the time of the deluge, and which, therefore, he calls diluvial deposits.

VI. The newest deposits of all, are those that are still going on at the sea-shore, on the banks of rivers, at the bottom of lakes, &c. in consequence of the slow action of water: these are called alluvial.

Such is a rapid view of the different rocks of which this globe, so far as it has been examined, is composed. Let us now see how the different petrifactions are distributed through them. This constitutes the most important point of investigation, because it alone can enable us to determine the changes to which the earth has been subjected since its original creation, and the length of time which may have elapsed before it became fit for the habitation of man.

I. Vegetable remains. The secondary formations below the coal beds are very poor in vegetable remains; since only fourteen different species have been hitherto observed—of these four are fuci, obviously sea plants. They all occur in limestone, except the fucoides circinatus, which is found in the sandstone which constitutes the base of Kinnekulla, a transition hill in Sweden. Two are equisetums; five are ferns; two lycopodiums; and one cannot be referred to any known order of plants.

The coal formation contains a vast number of fossil vegetables,

Indeed, there can be no doubt that the coal itself is entirely derived from decayed and altered vegetables. The opinion of Delue is the most probable, that it was originally similar to our present mosses, and that it has been converted into coal by being exposed to great pressure, while at the same time the vegetables underwent a species of decomposition. Not a single sea plant occurs in the coal beds; but almost all the fossil plants found in them are cryptogamous. Not a single dicotyledonous plant has been met with, and only a very small number of monocotyledonous plants. Three species occur which have been referred to palms, one to cannæ. But 130 different species of fern have been made out, and fourteen species of calamites. These Brogniart, from the structure, has referred to equisetums. They are quite gigantic, such as nowhere can be met with at present. The ferns all belong to the genera that occur in the torrid zone. Not a single species similar to those which at present vegetate in European climates has been met with. Sixty-eight species of lycopodiaceæ, and seven species of marsileaceæ, have been observed in the coal beds; all of them, likewise, of the kind that belong exclusively to the torrid zone.

It would seem from this, that when coal was formed, no dicotyledonous plants existed, and that almost the only plants existing were cryptogamous. The equisetums and ferns found in the coal beds are much larger than any known at present. Many of them formed trees, and the stems of the equisetums are often as large as those of trees. Is it not probable from this, that at the time when coal was deposited, the dry land was but little elevated above the level of the sea? It is obvious that the coal was only deposited on the dry land, as no traces of sea plants ever occur in it. If these conjectures be well founded, it is probable that the formation, or at least the elevation, of the primary strata, took place at a time subsequent to the formation of coal.

The magnesian limestone, which lies immediately over the coal, is very poor in fossil vegetables. Only eight species have been observed in it. They are all fuci, and of course sea plants.

Twenty species of fossil plants have been made out in the new red sandstone near Strasburg, and described by M. Voltz. Of these, three are equisetums, six ferns, five coniferæ, two lileaceæ, and four doubtful, but belonging to monocotyledonous plants. Thus the plants in the new red sandstone differ completely from those in the coal.

The great oolite and lias formation is rather poor in plants. Twenty-two species in all have been made out. Of these two are equisetums, seven ferns, one lycopodium, eleven cycadeæ,

and one uncertain. The coniferous plants are entirely wanting in this formation, though they occur in the preceding.

The greensand and chalk contain fifty-two different species. Of these three are fuci, one equisetum, twenty-one ferns, one lycopodium, seventeen cycadeæ, six coniferæ, two lileaceæ, and one doubtful. The chalk contains scarcely any but marine plants, viz. two coniferæ, eleven fuci, four nayades.

In the formations above the chalk, the fossil plants approach much nearer to those at present existing on the earth. They are very numerous; but, from the state in which they occur, it is almost impossible to refer them to any particular species.

As far as we are entitled to draw conclusions from these fossil vegetable remains, we seem warranted to affirm, that the nature of the vegetables on this globe has undergone four different changes.

1. The first period extends from the first traces of fossil vegetables to the formation of coal. The plants which existed at that period seem to have been chiefly vascular cryptogamous plants. The temperature of the earth, even in Iceland, must at that time have been at least as high as it is at present in the torrid zone. An equable climate seems to have existed everywhere, and that as high as the equator is at present.

2. The second period corresponds with the deposition of the new red sandstone. The earth at that time seems to have been mostly covered by the sea; for the fossil plants found are mostly sea plants.

3. The third period begins with the great oolite, and continues till the deposition of the chalk. It is distinguished by the great number of cycadeæ, joined with ferns and coniferæ.

4. The fourth period is distinguished by the preponderance of dicotyledonous plants, and by the absence of plants, differing from those actually existing at present.

Such are the inferences to be drawn from the vegetable fossils. Those from the animal fossils are still more decisive with respect to the alterations which the earth has undergone, and the alterations in its inhabitants which have taken place.

II. Animal Remains. The animal fossils in the transition rocks belong to the lowest order of animals; corals, and different species of shells, being the only ones that occur. The shells are ammonites, orthoceratites, nautilites, conolaria, and perhaps a few others. These petrifactions occur most abundantly in the transition limestone. No animal of a higher order than corals or shell-fish occurs.

In the mountain limestone, which lies under the coal, the species of corals, univalve and bivalve shells, are more numerous

than in the transition limestone. The animals inhabiting these shells seem to have been possessed of a power very rarely found in the shell-fish of the present times,—a power of rising and sinking at pleasure in the water. Several of that curious tribe of animals, to which the name *trilobites* has been given, occur in the mountain limestone. Some obscure traces of fish have been met with in the mountain limestone; but none of them has been referred even to a genus, if we except what has been considered as the snout of the xiphias or sword-fish.

The animal remains found in the coal beds are chiefly orthoceratites, terebratula, ammonites, and some species of the genera *lingula* and *unio*. In a bed of ironstone at Crosbasket, near Glasgow, two species of mussel-shells occur in a very perfect state, but not referable to any species of that genus at present existing.

It is in the magnesian limestone lying over the coal that the first animal of a higher order than shell-fish occurs. For in the bituminous marl slate of Thuringia, which is connected with the magnesian limestone, there is found the remains of an amphibious animal, belonging to the genus *monitor*. The shells of this formation have not been much studied. The productas, donax, arca, anomia, and unio, are the most common. At Sunderland the remains of a fish, of the genus *chœlodon*, have been found imbedded in this formation.

The great oolite formation, which comes next, has been subdivided into the lias, the lower and upper oolite. In the lias, corals are rare. It contains but few multilocular univalves, chiefly ammonites, nautilites, belemnites, and terebratulas. The bivalves are numerous, and the most common are ostrea, gryphea, plagiostoma, plicatula, avicula, mya, and cardita. Several species of crustaceous animals occur in it, but always in an imperfect state. Bones and palates of the turtle have also been found. But it is chiefly distinguished by two genera of oviparous quadrupeds, differing in structure from all the genera at present known, and in such particulars as must have fitted them to live entirely in the sea. These are the ichthyosaurus and the plesiosaurus.

The lower oolite contains traces of alcyonia, and a variety of corals. The crinoid family are rather conspicuous in it. The most common shells belong to the genera pecten, ostræa, terebratula, modiolus, trochus, unio, tellina, modiola, lutraria, trigonia. The remains of vertebral animals are rare. Vertebræ are said to have been found, belonging to marine lizards.

In the upper oolite, besides the shells above enumerated, and some others, teeth, vertebræ, and palates of fishes, are found, and also several species of tortoise. Several oviparous quadrupeds

have been found; a species of crocodile is well characterised; and at Stonefield, the remains of a megalosaurus, forty feet long, have been found. There occur also in the Stonefield slate the bones of a species of didelphis, or opossum. It is well known, that the opossum tribe occur at present in America and New Holland, but never in any part of Europe, Asia, or Africa.

The fossils in the green sand are usually in a siliceous state. Numerous silicified alcyonia and echini occur. Corals and encrinites are rare. Shells occur in vast abundance and variety. But except a few fish teeth, no remains of vertebral animals have been met with in this formation.

The chalk itself contains many organic remains of animals, from the sponge to the alligator. The tribe of echinus is the most abundant and characteristic of the formation. Of fossil shells, the crania and magas are peculiar to the chalk. Scaphites occur only in the lower chalk, and ammonites most commonly in the same situation. Sharks' teeth, and the bony tongues and palates of different species of raia, are common.

In the formations above the chalk, the variety of organic remains is great, and in general they are in a high state of preservation.

In the plastic clay lying immediately over the chalk, are found ostreæ, cerithiæ, turritellæ, &c. together with the teeth of fish.

In the London clay, the same with the calcaire grossiere of Paris, few corals are found. Echinites and encrinites are very uncommon. Crabs and lobsters are abundant; thirty different species from the Isle of Sheppey may be seen in the British Museum. Fossil shells are numerous and well preserved, often retaining nearly the appearance of recent shells. There are but few genera of recent shells that do not occur in this formation; but the species are generally different. Few of the extinct genera so common in the oolite formations occur in this. About thirty-two genera of bivalves have been found in the more ancient strata, and only five or six new ones have been met with in the London clay. But the ancient strata contain only about twelve genera of simple turbinated univalves, while the London clay, and its subordinate beds, have furnished thirty-two genera of turbinated shells—twenty-five of which, with about sixteen other genera not known to exist in a fossil state, inhabit the present waters of the globe. Petrified fish of great beauty occur, as do crocodiles and turtles, in a more or less perfectly mineralized state.

The fresh-water formation lying over the London clay is distinguished by a number of shells that occur only in fresh water, viz. lymneus, planorbis, cyclostoma, and helix.

The upper marine formation, which comes next in order, contains the same shells as exist at present in the neighbouring seas. Palates of fish and fossil sponges, and alcyonia, occur also, though rarely. Teeth of the mammoth, and some other unknown bones, have also been found.

In the diluvial formations occur the remains of elephants, hippopotami, rhinoceri, &c., but the species differ from any at present existing.

Finally, in the alluvial beds occur the remains of the animals of the present creation.

The preceding enumeration, imperfect as we are obliged to make it, is sufficient to leave no doubt respecting the numerous revolutions which have taken place upon the surface of the globe, and the order in which the different tribes of animals came into existence. Sea animals, and those only of the lowest tribes, and all different from those which exist at present, are the only animal remains occurring in all the formations below the green sand. No land animals, therefore, existed at that time; and we have seen that the plants were all cryptogamous, and many of them marine. The remains of oviparous quadrupeds begin to make their appearance in the green sand, but all belonging to animals that must have lived in the sea. The great alligators or crocodiles, and the tortoises of Maestricht, are found in the chalk. These are the earliest fossil bones which occur. It is obvious from them, that the dry land and fresh water must have existed before the formation of the chalk strata. Yet, neither at that early epoch, nor during the formation of the chalk strata, nor even for a long period afterwards, do we find any fossil remains of mammiferous land quadrupeds.

We begin to find the bones of mammiferous sea animals, namely, of the lamantin and of seals, in the coarse shell limestone which immediately covers the chalk strata in the neighbourhood of Paris. But no bones of mammiferous land animals are to be found in that formation. In the formation which lies over the coarse limestone, and which consists chiefly of gypsum and marl, the bones of land animals are distinguished in great abundance. From these facts, we are led to believe, that the oviparous quadrupeds began to exist, along with the fishes, at the time when the magnesian limestone and the oolite were deposited; while the land quadrupeds did not appear upon the earth till after the coarse limestone, lying above the chalk, had been deposited, which contains the greater part of our genera of shells, although of quite different species from those that are now found in a natural state.

The coarse limestone beds, employed at Paris for building,

are the last formed strata which indicate a long continuance of the sea above the surface of our continent. Above them, indeed, there are found formations containing abundance of shells and other productions of the sea. But these consist of alluvial matter, rather indicating transportations which have taken place with some degree of violence, than strata formed by quiet depositions.

All the known specimens of the bones of oviparous land quadrupeds have either been found in fresh-water formations, or in alluvial deposits. Hence we may conclude, that these animals began to exist since the last retreat of the sea but one, and during that state of the world which preceded its last eruption.

There is a determinate order observable in the disposition of these bones in regard to each other, which indicates a very remarkable succession in the appearance of the different species. All the genera now unknown, the palæotherius, anaplotheria, &c. are found in the most ancient of these formations, or those lying directly over the coarse limestone. It is they chiefly which occupy the regular strata that have been deposited from fresh water, or certain alluvial beds, composed of sand and rounded pebbles; perhaps the earliest alluvial formations of the ancient world. Along with these are also found some lost species of known genera, but in small numbers; together with some oviparous quadrupeds and some fish, which appear to have been inhabitants of fresh water. The strata containing these are always more or less covered with alluvial formations, filled with shells and other productions of the sea.

The most remarkable of the unknown species belonging to known genera, or genera nearly allied to those that are known, as the fossil elephant, rhinoceros, hippopotamos, and mastodon, are never found along with the more ancient genera, but are only contained in alluvial formations, sometimes along with sea shells, sometimes with fresh-water shells, but never in regular rocky strata. Every thing found along with these species is either, like them, unknown, or at least doubtful.

The bones of species which are apparently the same with those that still exist alive are never found, except in the very latest alluvial deposits; or those which are either formed on the sides of rivers; or on the bottoms of ancient lakes or marshes now dried up; or in the substance of beds of peat; or in the fissures and caverns of certain rocks; or at small depths below the present surface, in places where they may have been overwhelmed by debris, or even buried by man. These bones, though the most recent, are almost always the worst preserved, owing to their superficial situation.

Cuvier has ascertained and classified the fossil remains of 78 different quadrupeds in the viviparous and oviparous classes. Of these, 49 are distinct species, hitherto entirely unknown to naturalists. Eleven or twelve have such entire resemblances to known species, as to leave no doubt of their identity. The remaining 16 or 18 have considerable resemblance to known species; but the comparison has not been made with so much precision as to remove all doubt. Of the 49 new species, 27 are referable to seven new genera, while the other 22 are referable to genera or subgenera already known. The whole number of genera to which the fossil remains of quadrupeds hitherto investigated are referable, are 36, including those belonging both to known and unknown species.

Of these 78 species, 15 belong to the class of oviparous quadrupeds, while the remaining 63 belong to the mammiferous class. Of these, 32 species are hoofed animals not ruminant, twelve are ruminating animals, seven are gnawers, eight carnivorous quadrupeds, two toothless animals of the sloth genus, and two amphibious animals.

Professor Buckland of Oxford, one of the most zealous and successful cultivators of geology of modern times, has added a new view respecting the existence of animal remains in caverns, where they frequently occur in vast quantities, enclosed in stalagmite or hardened mud, which has preserved them from the action of the weather. Into the very ingenious details which he has given in his various publications on this subject, particularly in his *Reliquiæ Diluvianæ*, we have not left ourselves space to enter. These caverns, particularly the celebrated one of Kirkdale in Yorkshire, which he first described in the Philosophical Transactions, he conceives to have been the habitation of hyænas before the Flood. These animals were in the habit of dragging their mutilated prey into their habitations. Hence the numerous remains of bones found in these caverns, all gnawed, according to the custom of these animals. Their hardened excrements he also showed to exist in the caverns, and to be mixed with the gnawed bones. The bones found in the cave at Kirkdale were those of hyænas, bears, tigers, foxes, wolves, elephants, rhinoceroses, hippopotamuses, oxen, deer, &c. They were all, however, the bones of species no longer existing. The reason why no human remains are ever found in these caverns, naturally occurs. In case of a deluge, the human race would not betake themselves to caverns; they would naturally endeavour to escape by betaking themselves to the highest eminences of the country where they lived. If the diluvium followed them there, destruction would be unavoidable; because no further or

higher retreat would remain for them. Hence the reason, he thinks, why no human bones have been found in such caverns. But, within these two or three years, several caverns have been explored in the South of France, in which human bones have been found, along with those of lost species of animals, and likewise of animals at present existing in the earth. These bones are imbedded in stalagmite, or dried mud. The bones with which they are mixed have the usual gnawed appearance, and are mixed with the album græcum observed in the cavern at Kirkdale.

The first of these caverns occurs at Bize, in the department of Aude. The bones are found fixed to the rock by a stalagmitical calcareous cement. Fragments of rude pottery occur jumbled together with these bones. Human teeth occur, along with sea and land shells, similar to those still found in the neighbourhood. The teeth resemble the first molar, and preserve their enamel; but the roots are so much changed, as to adhere firmly to the tongue. These bones are found imbedded in a red mud, and likewise in a black mud, lying over this last. The shells are the cyclostoma elegans, the bulimus decollatus, Helix nemoralis, and nitida; associated with these land shells, are the Pecten Jacobæus, Mytilus edulis, and Natica millepunctata. Among the extinct bones are those of a species of cervus, and of the auroch, which still exists, but confined to some Lithuanian forests.

The second cavern, Pondres, is distant a couple of leagues from the first. It was quite filled with dried mud, in which were lodged the bones and the album græcum met with in other caves. Human bones and fragments of pottery were mixed with bones of the rhinoceros, wild boar, a small species of horse, bos, cervus, sheep, stag, bear, badger, hyæna, &c., some of these belonging to extinct species, some to living species. The third cavern, Souvignargues, is not far from the other two, and contains human bones, similarly mixed with those of other animals.

If it were not for the fragments of pottery, we might suppose that the human bones have been occasioned by the hyænas accidentally dragging pieces of human bodies to their caverns, along with their other prey; and these human beings may have met with an accidental death, or have been destroyed by animals of prey. But the occurrence of pottery, and of the bones and shells of animals still existing, would rather lead to the notion, that these caverns may have been inhabited at a very remote period, but still after the period of the deluge, by some wild animals of the country; or that some solitary human beings may have taken refuge there, and that afterwards the

caverns may have been filled with mud by some subsequent and partial deluge—of which, doubtless, many have occurred since the earth was inhabited by the human race.

The porphyry and trap rocks, which constitute so prominent a part of the surface in that part of Scotland which we inhabit, are situated in an inconformable position to the other, or irregularly interposed between them; though sometimes they seem to be associated with, and to alternate with, the primary or secondary rocks. They must have been formed at a different time from the primary and secondary strata on which they lie. They never contain any animal or vegetable remains, though such remains often occur in rocks with which they alternate, or which are situated very near them. They frequently cut through the other rocks in the form of thick walls or dykes; and when they thus pass through a coal-field, the coal in their immediate neighbourhood is usually deprived of its bitumen, and converted into coke, just as if it had been exposed to heat. These, and many other circumstances, which we have not room to enumerate, led Dr Hutton to conclude, that these rocks had been formed by heat, and that they had been forced up from below in a liquid form, and thus covered, or penetrated and deranged, the formations through which they passed. This opinion, after having been controverted with much zeal by the followers of Werner, has gradually made its way, and seems at present to be almost generally admitted by geologists.

The word porphyry signifies at present, a rock having a compact basis, through which are scattered crystals of some other mineral. The basis gives the name to the porphyry, and is either felspar, pitchstone, or claystone. In this country, it usually occupies the summits of the mountains. This may be very well seen in Ben-Nevis. The lower part of that mountain is granite, but the central cone is felspar porphyry. If we examine this mountain, we can scarcely doubt that the porphyry has been pushed up through the granite, and formed the summit. It seems to have made its way south, for the summits of the mountains of Glenco consist of the same kind of porphyry.

The curious dyke of pitchstone porphyry, called the Skure of Egg, in one of the Hebrides, constitutes another specimen of porphyry, that seems to have made its way to its present position in a fluid state. The same remark applies to the dykes of pitchstone porphyry at Brodik, in the Isle of Arran. They were doubtless connected with the great porphyry formation in the south of Arran, though that connexion can no longer be traced.

The claystone porphyry constituting the summit of the Pentlands, so conspicuous from Edinburgh, and so common in the

Ochil Hills, exhibits no trace of having ever been in a state of fusion. But in the Ochils, at least, the claystone porphyry is obviously connected with the felspar porphyry, and seems to pass into it; so that the relation of claystone to felspar is probably much closer than we at present suppose.

The word trap was first applied by Riman to a set of hills which occur in Sweden; and he gave them that name, he says, because the rocks of which they are composed broke in rectangular fragments like sandstone. Werner afterwards limited the signification to certain rocks distinguished by the hornblend which they contain. The most important trap rocks are greenstone, amygdaloid, basalt, porphyry slate, wacke, and trap-tuff.

Greenstone is a mixture of felspar and hornblend, or sometimes of felspar and augite. It is very common about Edinburgh; Salisbury Crags, the Castle-hill, the rocks of Inchkeith, and many hills on the south coast of Fife, consisting partly of it. It bears very unequivocal marks of having been forced from below, upwards, in a state of fusion, and of having made its way through the other rocks with which it is associated.

Amygdaloid is a rock containing almond-shaped cavities, usually filled with calcareous spar, and various specimens of the numerous tribe of zeolites in a state of crystallization. Sir James Hall and Mr Gregory Watt threw much light upon the formation of this stone, and of greenstone, by their experiments. It seems to have been subjected to a strong heat while under great pressure. Basalt and porphyry slate have a great affinity to greenstone, and have undoubtedly been formed under similar circumstances.

We cannot afford space to enter into the details which would be necessary to show that all these rocks have been formed by the action of heat, and that they have all been either in a soft state, or in a state of fusion. But the subject has so long occupied the attention of geologists, and the numerous objections of Werner and his disciples have been so carefully examined and so fully refuted, that we are not aware of any difference of opinion at present existing on the subject. All admit that the porphyry and trap rocks have been formed by heat, and that they have been pushed up from below; but probably at a time when the whole was either covered by the ocean, or subjected to an enormous pressure by means of incumbent rocks, which have since been removed.

Thus, since the earth was inhabited both by vegetables and animals, since the primary and secondary rocks have been deposited, it has undergone a partial, but prodigious alteration, by the action of heat. Immense tracts of melted stony matter have

been forced up, and have made their way over a great extent of surface. These alterations and catastrophes must have taken place before the earth became inhabited by the human race; otherwise, had any rational creatures existed on it, and escaped the devastations which must have taken place, some traditionary information concerning such tremendous occurrences must have been handed down to us.

From the preceding sketch, imperfect and limited as it necessarily is, some idea may be formed of the numerous changes to which the earth has been subjected since its original creation, and the vast number of ages which must have elapsed before it became fit for the habitation of man. Well may it be predicated of the Deity, that with him a thousand years are as one day, and one day as a thousand years! May not a similar series of changes be going on in the other planets belonging to the solar system; and may it not be possible that they are not yet so far advanced as in our planet; and may not this be the reason why none of them as yet is possessed of an atmosphere similar to ours?

ART. IV.—*Notes on the Bedouins and Wahabys:* Collected during his Travels in the East, by the late JOHN LEWIS BURCKHARDT. Published by the authority of the Association for the Discovery of the Interior of Africa. 4to. London: 1830.

THOUGH all the works of this enterprising and unfortunate traveller have greatly contributed to the increase of our knowledge, it is in the posthumous publications which bear his name that we find the largest mass of interesting and curious information.

The observations contained in his first works on the back-settlements of Syria and Palestine, and on the rude and brutal slave-merchants of the Nubian Desert, cannot rival in interest those of the posthumous volume in which he has so fully unveiled the mysteries of Mahommedan pilgrimage.* An equal rank may be assigned to the present, which throws new light on a race, who have long stood single among the nations, retaining from age to age a character in which lofty virtues and odious vices are strangely combined. The volume embraces also a different, but kindred subject, giving the most ample and authentic account that has yet appeared of the Wahaby power, which was

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* See No. 99, p. 164.

once expected to have changed the face of the East, and which probably, even in its fallen state, exercises some influence.

The first and largest part of the volume does not, as its title imports, constitute so much a regular discourse, as a series of notes collected to form the materials of one; and these notes, taken at distant periods, and under changing circumstances, sometimes repeat, and sometimes even contradict each other. Nevertheless, we think ourselves indebted to the learned editor for having given them just as they stand, without any thing which could modify or alter their character; and we shall make it our task to combine these scattered fragments into somewhat of a regular and connected shape.

The Bedouins, or wandering Arabs, form a singular race, who, from the earliest records of history, appear to have existed exactly in their present condition, witnessing without sharing the successive revolutions of the world,—the rise and fall of the greatest empires. They bordered on several of the nations, anciently most refined and enlightened; yet those classic writers who have left such graphic pictures of some forms of barbarous life, throw no light on the interior state of Arabia. They delighted chiefly to recognise that region by the scented groves and bright gems which adorn its happy southern border. The roving tenants of its mighty desert were known almost exclusively under that one aspect, in which, indeed, they are but too prone to exhibit themselves,—as fierce and lawless plunderers, whose hand, lifted against every man, drew forth from all a just and reciprocal enmity.

Various circumstances have concurred to afford the modern world a somewhat more intimate view of this remarkable form of society. The early pilgrims to the Holy Land, and the successive travellers who proceeded overland to India, had occasion to pass along the Arabian frontier. These expeditions afforded ample proof of the character of this people as warriors and plunderers; but occasions were also found to witness, how sacred was the pledged faith of the Arab, and how unbounded the hospitality bestowed on the unprotected stranger who entered his tent. Yet travellers in general only skimmed the surface of the desert, passing along with a fearful haste, ill suited for minute observation. Niebuhr, to whom we owe the only elaborate account of this region, scarcely touched even the borders of Pastoral Arabia. He merely descended the Red Sea, calling at several of its ports; but, with the exception of Yemen, penetrating into none of the interior districts. The only narrative which brings us into full contact with the details of Arab life, is that of the Chevalier D'Arvieux, whose residence in the tent of a chief,

whom he dignifies with the title of Grand Emir, afforded materials for a very lively and graphic picture of Bedouin manners. His sphere of observation, however, was comparatively very limited. He not only did not penetrate into the heart of Arabia; he did not even reach its border. His communications were entirely with one tribe, who had advanced through Syria, and taken up their quarters in the pastoral environs of Mount Carmel.

Burckhardt did not go very deep into Arabia, nor did he enter the vast plains of Nedsjed, the central seat of Bedouin society. Nevertheless, he possessed a combination of opportunities and qualifications, which had not fallen to the lot of any preceding traveller. He traversed the whole of the desert border behind Syria and Palestine, and the wilderness of Sinai and Horeb, making everywhere those diligent and judicious enquiries for which he was eminently fitted. During his residence at Mecca and Medina, he saw an assemblage of tribes from every quarter of Arabia, and was enabled to obtain information from Bedouins, who came from the interior of the Nedsjed. He has thus not superseded indeed the observations of a traveller who should penetrate into the heart of the country, but yet done much towards elucidating the manners of the Arabians, and communicating an idea of the real condition of that extraordinary people.

The co-existence of bold and contrasted features in the Bedouin character had been frequently observed; but it was not clearly perceived how these could combine with, and pass into, each other;—how the same individual, on a slight change of circumstances, was welcomed with unbounded hospitality, or mercilessly robbed and murdered. This is a point which our traveller has very narrowly scrutinized, and seems to have traced the relation between these contrasted features of the Arab character, with a precision to which none of his predecessors made any approach.

The boast of the Arab is his hospitality, a virtue generally prevalent among simple and secluded tribes, but certainly practised here on a large and liberal scale. The entrance of the most entire stranger into the Arab tent forms an occasion of jubilee; a lamb is killed, the neighbours are invited, and a festival celebrated. In some encampments the members are on the watch for travellers advancing along the desert plain, and he who has the good fortune first to descry one, raises loud shouts, and claims him for a guest; while conflicting pretensions, and even quarrels, sometimes arise about this species of property. An instance is given of one Schiech, who, being reduced to such extreme poverty, that he could not furnish a dish to unexpected guests, had his favourite mare tied and ready for the knife, when

unlooked-for relief arrived. An Arab has been heard to declare, that if his enemy entered the tent with his own brother's head in his hand, he would not on that account abate of his hospitable reception. Yet this generous quality having become subjected to a code of rules, and making no distinction of objects, bears somewhat the aspect of being less an effusion of the heart, than a high point of honour, enforced by dread of the reproach attendant on failure. Even as to time, there are limits assigned to its exercise. Three days and eight hours are considered the period during which the stranger may expect the rites of hospitality; on passing that term, he is not indeed ejected; but his presence is criticised, and felt as a visitation.

Robbery, scarcely less than hospitality, is a leading point in which Arab honour is centred. The Bedouins are a nation of robbers: they rob friends and foes, and make plunder their constant aim and study. The title of robber is among the most flattering which can be bestowed on the youthful hero. The highest credit is attained by depredations on the Turks and Franks, which are usually carried on by the united force of the tribes; second to this stands the robbery of hostile Arabs; but even towards such as are doubtful or friendly, it is practised, and is far from being unknown within the precincts of the same tribe. The individual plunderer is called *haramy*, here translated robber, but which would seemingly be more correctly rendered *thief*. When departing on one of his great marauding excursions, he merely orders his wife or sister to prepare a bag of flour and salt, evading all enquiries as to his destination, by saying, 'I go where God 'leads me.' Associated with friends of kindred propensities, he scours the desert, and secretly approaches the encampment of a neighbouring tribe. The entrance is made at midnight, when all are buried in sleep. One bold youth advances, irritates the dogs who guard the camp, flies, and thus lures them on to pursue, leaving their charge defenceless. A second youth then moves forward, and in deep silence cuts the cords by which the camels are fastened, when these animals spontaneously rise without the slightest noise. A third grasps by the tail several of the strongest among them, which immediately induces them to gallop off; the others follow, and sometimes a band, fifty in number, will thus be carried away.

The link or limit between these two great contending principles of hospitality and robbery, is formed by *dakheil*, or protection. When the Bedouin has granted this sacred pledge, he not only secures the protected person against his own fiercest enmity and most eager avidity, but guarantees also, as far as his power extends, safety of life and property from every other

enemy or depredator; and even when a loss has been unavoidably sustained, he often replaces it. Hospitality and protection are kindred principles, ruled nearly by the same laws, and bearing the same date of three days and one third, after which it behoves the person in danger to seek safety from some other quarter. According to Burckhardt, it is always among the fiercest and most lawless predatory tribes that the sense of honour is highest, and the pledge of protection held most sacred.

These conflicting principles of the Arab character come into singular collision when the *haramy* is caught within an encampment, busied in his work of plunder. He is then nearly within the circle of protection; a few moments might place him there. As it would be absurd, however, that such transactions should be carried on with impunity, a very singular train of precaution is employed to avert his coming under the magic power of the *dakheil.* All the privileges, which are so nearly within his reach, serve only to aggravate the sufferings of the captive, or, as he is termed, *rabiet.* The *rabat,* or captor, first ties his hands and feet, then seizes a large staff, and beats him without intermission, till he cries out *yeneffa,* 'I renounce;' by which word he resigns all the rights, and absolves his keeper from all the duties, of *dakheil.* Unfortunately too, for him, that pledge is so sacred, that its renunciation can avail only for one day and one person; whenever these are changed, the blows must be renewed, and another *yeneffa* extorted. Still more severe are the means employed that he may not avail himself of the extreme facility with which protection is obtained. A cavity is dug in the earth, equal in length to the offender, wherein he is deposited, his arms and feet bound to stakes with thongs, his twisted hair attached to opposite stakes, and sacks of corn or other ponderous articles piled above him; and in this living grave he remains, till a ransom, to the utmost extent of his supposed means and those of his friends, can be extorted. If the camp is removed, he is placed, with his head wrapped in leather, and his body fast bound, on the back of a camel. The *rabat* is kept in unremitting anxiety lest his prey should escape; for if the *rabiet* can contrive to touch, spit, or cast any part of his clothes even on a child, saying, 'I am thy protected,' he is converted at once from a captive into a guest, who must return home laden with kindness and presents. Other members of the tribe, moved by friendship or pity, sometimes find means to elude the vigilance of the *rabat,* and bring the sufferer within the pale. A man has been known to break a date in two, procure one part to be eaten by the captor, then convey the other to the prisoner, who is immediately announced to the

dismayed *rabat* as his protected guest. The prisoner's relations also have their invention at work to contrive some means of deliverance. A female, commonly his mother, approaches the camp under the disguise of a beggar, and obtains the hospitality of one of the tents. She learns the spot where her son lies immured, steals thither in the dead of night, feels for his mouth, in which she lodges one end of a ball of thread, then winds it off till she reaches a neighbouring tent. There she applies the other end to the breast of the owner, saying, 'Look on me, by 'the love thou bearest to God and to thyself, this is under thy 'protection.' The Arab, thus roused, comprehends the import of the transaction,—takes the thread, and winds it up till it leads him to the imprisoned *haramy;* and in this way it is announced to him that the captive, of whose ransom he has been cherishing golden hopes, is a protected man. Again, when the health of the prisoner sinks under his frightful durance, and his life appears endangered, the *rabat* must abate much of his claim; otherwise he might not only lose all, but involve himself in the guilt of blood.

The principle of private revenge, with its accompaniments, the right of blood, and the price of blood, is by no means exclusively Arabian. It operates in every community where regular government and the arm of justice have not superseded its exercise; but there seems to be scarcely a nation among whom it is reduced to so regular a system. The Koran has sought to limit its operation to the guilty individual;—a modification never admitted by the Bedouins, who continue to extend throughout the kindred on each side the right and duty of exacting and of paying blood. Mr Burckhardt has constructed diagrams, illustrating the manner in which these claims ramify, whence we may generally collect that they do not extend laterally beyond the fifth cousin; but the descending progress never ceases till satisfaction is obtained. The regular and strictly honourable satisfaction is that of shedding the blood of the murderer, or of any one who stands to him within the *khomse*, or appointed degrees. To them, however, is allowed the sacred interval of three days and a third, of which they often avail themselves to fly to the tents of a distant tribe. In general, as time passes, there is a growing disposition to negotiate. Various principles begin to act even in these proud hearts. The high claims of revenge and wounded affection yield to meaner motives; and on the very extent of the injury are founded calculations for the gratification of avarice. Arrangements through common friends are usually made for payment of the *deey*, or price of blood. As to the amount, Mr Burckhardt's statements vary—proba-

bly according to the difference of tribes—making it sometimes fifty, sometimes a hundred camels; to which some minor articles are appended. On grounds of grace and favour, certain abatements are usually obtained. All the kindred who are involved in the bloody debt, and proud of a relation who has killed his man, assist in raising the requisite amount. Terms being adjusted, friends on both sides meet, a she-camel is killed, and at the close of the festival the debtor or murderer ties a white handkerchief to the end of his lance, in sign that he is free from blood.

War amongst the Bedouins is frequent, almost constant; and a special duty of the Schiech is to provide for his tribe enemies, against whom they may indulge their bold and daring spirit, and have large chances of booty. Yet this people bear a reputation of not being extremely forward to expose their persons; so that when a bold face is shown to them, even by a very small band of travellers, they are said to be apt to turn their backs. Burckhardt, however, seems to have ascertained that this takes place only in those expeditions where plunder is the main or sole object. They view these as a trade to be carried on with as much profit and as little risk as possible. He understood it to be quite otherwise in wars waged for the glory and independence of a tribe, which are often marked by the most signal displays of valour.

This work has thrown some new light on the subjects of Bedouin love, courtship, and marriage. The suitor, it appears, must treat with the parents, and propitiate them by handsome presents, if not by a regular money price; but respecting the degree of consent required from the fair object, the author is somewhat at issue with himself. According to one statement, this consent is essential; yet elsewhere it is said that the young lady often knows nothing of the arrangement till the *abha*, or nuptial cloak, is thrown over her, when the husband and his friends seize and convey her by main force to his tent. The former report would seem to be more generally correct, from its harmonizing with accounts of a more pleasing nature. Love, in its purest form, where attachment is mingled with respect and esteem, is deeply felt in the Arab tent; while in Turkish cities, the possessor of a crowded harem knows no tie but that of the senses. It is contrary to our preconceived ideas, to find that the Arab rarely has more than one wife; but he abuses in a remarkable degree the other license granted by the Prophet, of voluntary divorce. Mr Burckhardt has seen Bedouins of forty-five, who were known to have had fifty wives in succession. Yet there are many happy couples; and it is believed that these multiplied separations arise less from rooted

unhappiness, than from ungovernable pride, and gusts of violent passion. An unfortunate system prevails, in cases of contention between husband and wife, of referring to the neighbours as umpires; and as the lady has frequently the advantage in fluency and volubility, the husband, who feels himself worsted in this war of words, is too often impelled to utter the irrevocable expressions, *Ent Taleka*, which seal the divorce.

Our ideas respecting the jurisdiction of the Bedouin Schiech stand considerably corrected by this work. This chief has been generally believed to exercise an authority, patriarchal indeed and paternal, but scarcely less absolute than that of the Ottoman Sultan. Such an appearance of power is indeed exhibited to the Turks, who see him regulating all the external relations of the tribe, and arranging its migrations from place to place. But when its interior movements are inspected, the members are found in a state of the most complete independence, and even equality. If the Schiech addresses a rude expression to the meanest Bedouin, he is liable to a retort altogether in the same strain. He levies no revenue from his supposed subjects, but must derive all his funds from external sources,—his share of the booty, taxes on caravans, and the various species of tribute exacted by these rude borderers. We are here introduced also to another character, with whom we had no sort of previous acquaintance. This is the *Agyd*, a personage of the highest importance, somewhat between a soothsayer and a general, without whose presence in battle the Arab firmly believes that he can never conquer; and the belief doubtless favours much its own fulfilment.

The general estimate formed by our author of the Bedouin character seems to be somewhat partial. He pronounces them one of the noblest nations he ever knew; yet he admits that the same love of gain and money which pervades the Levantine character, is deeply rooted in the mind of the Bedouin; that interest is the motive of all his actions; and that lying, cheating, and intriguing, are as prevalent in the desert as in the market towns of Syria. These great blemishes, however, are counterbalanced in the Arab, not only by his generous hospitality and the sacredness of his pledged honour, but by his high spirit of freedom and independence. The poorest Bedouin, in his ragged goatskin tent, and coarse woollen mantle, owns no superior on earth, and looks with contempt on the pomp of a Turkish pacha. The sentiment of patriotism glows in his breast with the purest ardour. The devotion of a Bedouin to his tribe, the sacrifices he is ready to make for its power, its fame, and its prosperity, are described as rivalling whatever is most memorable in the

records of disinterestedness. Even the softer attributes of humanity and compassion are said to shine conspicuous in these fierce sons of the desert. 'The social character of a Bedouin, 'when there is no question of profit or interest, may be de-'scribed as truly amiable. His cheerfulness, wit, and softness 'of temper and sagacity, render him a pleasing and often a 'valuable companion. His equality of temper is never ruffled 'or affected by fatigue or suffering. The finest trait in the cha-'racter of a Bedouin (next to good faith) is his kindness, bene-'volence, and charity—his peaceful demeanour when his warlike 'spirit or wounded honour does not call him to arms. Among 'themselves the Bedouins constitute a nation of brothers; often 'quarrelling, it must be owned, with each other, but ever ready, 'when at peace, to give mutual assistance.'

In regard to the intellectual attainments of the Arabs, they must be described as wholly unlearned, being very rarely able to read or write. Yet, amid a varied, wandering, and active life, talents are developed which often remain dormant under the most regular course of scholastic instruction. Nature, love, and warlike adventure, inspire numerous untaught bards, to whose effusions their country owes that measure of poetical celebrity to which it has attained. In communities also, where influence can be gained only by persuasion, oratory is cultivated with considerable success. Even their common conversation, consisting of shrewd remarks bluntly expressed in few words, evinces a sounder judgment than the verbose talk indulged in by the inhabitants of Oriental cities.

The domestic economy of these tribes is simple in the extreme. A tent covered with goatskin, and divided into the male and female apartments, forms the usual habitation. An *abha*, or cotton robe, and a woollen mantle to be used in cold weather, both often in very imperfect repair, constitute their wardrobe; while flour, boiled or made into paste, with milk or butter poured over it, furnishes their sole diet, unless when the arrival of a guest is the signal for killing and dressing a lamb. In all their accommodations, scarcely any distinction is known between the rich and poor.

The horse, so pre-eminently the boast of Arabia, is far from being found in such numbers as we might imagine. Mr Burckhardt conceives that there is no equal extent of surface, in Europe or Asia, on which there are so few horses. Neither in the desert, nor in the rocky tracts of the Hedsjas, nor on the aromatic hills of Yemen, are horses either numerous, or endowed with any eminent qualities. They flourish only in the comparatively well watered and verdant tracts that extend along the

borders of Syria, and the banks of the Euphrates. These horses have not the strength and body which belong to the Syrian and some of the Egyptian races; but they are matchless in beauty, swiftness, and spirit. The Arabs count five noble breeds descended from the five favourite mares of the Prophet. It is not usual to keep written genealogies authenticating this high lineage; constant tradition, and the general knowledge of all the surrounding tribes, are considered enough; but when the horse is carried to be sold at Bassora, he is accompanied with a certificate of his pedigree, drawn up in a style equally solemn and verbose with our legal instruments.

Of the first and highest breed, our traveller does not believe the entire number to exceed two hundred; and he doubts if any ever find their way out of Arabia. Of the many called in Europe Arabian, a great proportion come from Syria and other bordering countries, where the breed is good, but different. The principal exportation is from Bassora to our Indian settlements.

The horse in Arabia is only an ornament,—the instrument of state and of war. The camel is the chief helpmate of the Bedouin. The Nedsjed, the principal seat of the Bedouin tribes, appears to be the native region of this valuable animal, and is called 'the mother of camels.' They are propagated there with greater facility, of finer quality, and subject to fewer diseases, than elsewhere; and they are exported thence into all the neighbouring countries. The camel's capacity of enduring thirst seems to adapt itself surprisingly to situation. In Egypt, where he drinks daily of the Nile, the period of privation cannot be extended beyond a day; on the high but commonly moist table lands of Anatolia, it is two days; over Arabia in general, it is four days; while in the long route between Egypt and Sennaar, where nine days are passed without water, the camels suffer most severely indeed, yet the greater part of them survive, and reach their destination. Our author discredits much the statement so current in Europe, that the camel on a long journey is often killed for the mere supply of water lodged in his stomach. This supply, he observes, is far from copious, unless after the animal has newly drunk, in which case the master is not likely to suffer want: the scanty draught to be obtained after a long march, can never compensate the loss of the animal in travelling. The hump of the camel appears to form a sort of reserve, through which, the Arabs say, he is nourished during his long journeys. In a period of plenty, the rapid secretion of fat converts it into a pyramid, equalling a fourth of the animal's entire bulk; but a peregrination through the desert

gradually lowers it, so as to become scarcely visible, when the camel sinks and can travel no farther, till the store is replenished by rest and food.

The *second* part of the volume, entitled 'Materials for a History of the Wahabys,' is entirely distinct from, yet closely allied to, the first; since Nedsjed, the centre of the Wahaby dominion, is the primitive, and still the main seat of the Bedouin tribes. Notwithstanding the modest title of 'Materials,' it forms a very complete and connected view of the subject, nearly as copious as, in the present fallen state of this power, can be considered desirable.

The prevalent impression among writers and travellers who have made us acquainted with the progress of the Wahaby power, has been to consider it as openly hostile to, and threatening the downfall of, the Mussulman faith. Niebuhr speaks of it as a new religion, which admitted, indeed, Mahommed to have been a great teacher, but denied the inspiration of the Koran; and Lord Valentia, in relating the entry of the Wahabys into Mecca, considers that event as shaking to its foundation the fabric of Islamism. Mr Burckhardt, on the contrary, seems to have ascertained, that the sole principle of Abdul Wahab, the founder, was to restore that religion exactly to the state in which it existed under the Prophet and his immediate descendants. Two Wahaby envoys having arrived at Cairo in 1815, one of whom was accounted very profound in this faith, the pacha caused them to be examined by the most learned Ulemas, who, contrary to his expectation and wish, declared their dogmas to contain nothing heretical. The abuses which the Wahabys sought to extirpate, existed not in the body of the sacred edifice, but in certain adventitious superinductions. Although a divine nature was not actually ascribed to Mahommed, yet expressions had crept into use which seemed to imply something not widely differing. Every city, besides, had some favourite schiech, or saint, whose tomb had been lavishly adorned, and in whose honour varied and pompous ceremonies were performed. Above all, the smoking of tobacco, and the wearing of costly, especially of silken garments, were enormities which all the Wahaby power was to be employed in extirpating. Into whatever city their army entered, their first care was to raze to the ground the tomb of its tutelar saint. Those of Mahommed, his wife, his uncle, and two grandsons, at Mecca, were all demolished. Even the magnificent sepulchre of the Prophet at Medina was doomed to destruction; but this massive and lofty structure defied their efforts. Several of the soldiers, in attempting the demolition,

fell from its lofty dome, and were killed; a catastrophe exultingly ascribed by the Medinans to the displeasure of Heaven. At Mecca all the tobacco pipes in the city, whereof many were large and highly ornamented, were collected into one pile, and consigned to the flames. It is not wonderful that the Turks, when they saw the Wahabys laying their destructive hands on all the objects most dear and revered, should view the new sect with horror, as the enemies of religion and the Prophet.

With the reform of the Mahommedan faith, the Wahaby chiefs combined the principle, that there should be one supreme political head over the tribes of Arabia. Mr Burckhardt seems to impute the ardent zeal displayed on this subject by Abdel Aziz and Ibn Saoud chiefly to their anxiety for restoring the pure model of Islamism; but as this sovereign dignity was to devolve upon themselves, they were impelled, we imagine, by still more powerful motives. Abdel Aziz is said to have taken the field with seven camels only; but by successive victories and conversions, he, and still more his successor, Ibn Saoud, gradually collected all the tribes of Nedsjed under the new standard. The Bedouins were left, however, in the full enjoyment of their internal independence; the schiechs becoming feudal vassals rather than subjects. His sway was, on the whole, beneficial to Arabia, by suppressing or much abating the scourges of internal war, deadly feud, and open robbery; by diffusing some elements of knowledge, and by establishing public tribunals, administered by upright and intelligent kadhys of his appointment.

In 1803 or 1804, the Wahaby sway had reached its zenith; Mecca and Medina had surrendered; the rich ports of Loheia and Hodeida had been plundered: Yemen on one side, on the other Syria and the fine plains beyond the Euphrates, lay open to their inroads. Yet it would seem that they never possessed any considerable disposable force. All the Bedouins, indeed, were liable to the summons of the supreme head, whom they obeyed, partly from duty, partly from the hopes of plunder; but they formed only a loose, feudal militia, serving at their own expense, and during the limited period of forty or fifty days. In the expedition into the Hauran, where Ibn Saoud occasioned the greatest alarm, and plundered thirty-five villages, he is said not to have had more than six thousand men.

Ibn Saoud appears to have been an able, and even virtuous prince. Residing in a spacious mansion on the declivity of the hill above Derayeh, he entertained with lodging and food the numerous visitants, amounting usually to several hundreds, who resorted for justice or homage from every quarter of Arabia. The only luxuries enjoyed by him beyond the meanest

of the Wahaby power. Ibn Saoud had just died; but in January 1815, Abdallah, his son, who bore a still higher military reputation, met the Pacha at Byssel, with 25,000 men,—a light, loose host, chiefly mounted upon camels. Yet so long as they kept to the high rocky grounds, the Egyptian army was never able to gain any advantage. At length Mahommed Ali, by causing his troops to betake themselves to a feigned flight, succeeded in drawing the Arab army down into the plain, where the regular and weighty charge of the Egyptian cavalry proved irresistible against this irregular mass. The Wahabys were totally routed, with the loss of five thousand men; their camp, baggage, and most of their camels, falling into the hands of the conqueror.

After this victory, numerous schiechs, who had formerly wavered, gave in their submission. Yet the Pacha brought back his troops to the Hedsjas in a most reduced and exhausted state, not exceeding fifteen hundred men, with three hundred horses, and three hundred out of the ten thousand camels, which he had either carried with him, or captured. Thus he was in no condition to renew offensive operations, while the enemy recruited their strength, and obliged Tousoun to conclude a peace, by which the Wahaby power was left almost unbroken. Mahommed Ali, however, returned to Egypt, with the firm determination to regard this treaty as little as he had ever done any engagement which interfered with his ambitious views. Resolving to strain every nerve for the complete overthrow of the Wahaby dominion, he sent, in August 1816, Ibrahim, the most energetic and ferocious of his warlike family, with a large reinforcement, to take the chief command. Here Mr Burckhardt's relation closes; but from other accounts, and particularly from that lately given by Mr Webster, we know that the Egyptian chief, after a protracted contest, was completely successful, and closed the campaign with the capture and destruction of the hostile metropolis. 'Ibrahim 'Pacha,' says this traveller, 'is remembered as the scourge of 'Arabia, and the curse of Derayeh. Mahommed, in his moment 'of passion against Abdallah, had threatened to destroy the city, 'so that not one stone should be left upon another. Ibrahim 'was the unrelenting executor of his father's menaces. The 'Wahaby capital was entirely destroyed, and the inhabitants 'thrust forth into the desolate wilderness, to starve and die, or 'obtain refuge where they best could.'* Abdallah and all his family were made prisoners, and brought to Cairo, where their arrival in November 1818 was celebrated by a festival of seven

* *Travels through the Crimea, Turkey, and Egypt.* Vol. ii. p. 108.

days. He was then sent to Constantinople, where an ungenerous enemy caused him to be led three days through the streets, and then beheaded. Thus closed the career of the Wahabys.

Notwithstanding the valuable additions made to our knowledge by this volume, we are far from thinking that Arabia is yet adequately known. While we have journal upon journal of travels through the beaten tract by the Euphrates and Kourdistan, we are not aware that any adventurer has attempted to penetrate across the plains and pastoral hills of Central Arabia. Yet he would there see, in their utmost purity, Bedouin manners, which are altered much, and usually for the worse, by intercourse with the Turks and the inhabitants of cities. Our author, we may observe, considers, that no recommendation of any chief, though he were the most powerful in the East, would be of any value in this quarter, and that the traveller must trust entirely to his own address and resources.

ART. V.—*Annals and Antiquities of Rajasthan, or the Central and Western Rajpoot States of India.* By Lieutenant-Colonel JAMES TOD, late Political Agent to the Western Rajpoot States. Vol. I. 4to. London: 1829.

OF the Centre and West of India, notwithstanding our long connexion with the country, our knowledge is to this hour very imperfect. To say nothing of the hill and mountain tribes, how little are we acquainted with the inhabitants of Guzerat, of Cutch, of Sinde, of the Punjab, and of Rajpootana! The bulk of Europeans conceive of the people of India, as of a homogeneous mass; yet its various nations are as much disunited by physical circumstances, and as broadly discriminated by language, complexion, habits, and character, as are the inhabitants of the different countries of Europe, not excluding even the Turks. The fruits of this partial knowledge of the people of India are apparent every day, in the discordant estimates of their character, published by witnesses who equally deduce their opinions from local experience and observation.* Many a fierce collision on this point may be referred to a cause similar to that which produced a tilting-match between the knights-errant in the story book, who saw only the opposite sides of the shield.

Rajasthan, Rajwarra, Raetana, or Rajpootana, the country of

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* Bishop Heber observes, 'There are a great many people in Calcutta 'who maintain that all the natives in India are alike.'

the Rajpoots,* has been revealed to us so recently, that it may be regarded, in some respects, as a new discovery. One of the important results of the great war of 1817-18, has been the extension of our knowledge respecting Central India. The total overthrow of the Mahratta dominion, under the iron yoke of which this fair portion of the country had groaned for the preceding half century, brought us into contact and alliance with the states of Rajpootana; a part of Hindostan where the primitive institutions of its singular people have been, perhaps, less impaired by time, and by the rude hands of the Moslems, than even in Southern India. 'Creeds have changed, races have mingled,' says their historian, 'and names have been effaced from the 'page of history; but in this corner of civilisation, we have no 'such result: the Rajpoot remains the same singular being as 'in the days of Alexander.'

Without adopting the avowedly crude speculations of Sir William Jones, respecting the Hindu empires of Ayodhia and Indraprestha, it cannot admit of doubt, because the fact is established by relics, and by evidence of infinitely more value than tradition, that, at a period very remote, Hindostan was the seat of an extensive, a flourishing, an enlightened dominion. 'A peo-'ple,' observes a very fierce Hindu-mastix,† 'who could pro-'duce works on philosophy and theology, like the Vedas and 'Darshanas; on civil and canon law, like the Smritis; whose 'poets were capable of writing the Mahábhárata, the Rámáyana, 'and the Sri Bhágavata; whose libraries contained works on phi-'lology, astronomy, medicine, the arts, &c.; and whose colleges 'were filled with learned men and students, can never be placed 'among barbarians.' North-western India seems to have been eminently rich and powerful in the time of the father of Greek history, who represents the last Satrapy of Darius Hystaspes, consisting of the country on the Indus, (the historian's description of which applies, Major Rennell says, literally to Rajpootana,) as 'the most numerous nation known;' and adds, that it contributed six hundred talents in golden ingots,‡ a tribute far exceeding, according to the lowest estimate, that of Babylon and Assyria, one of the richest satrapies. Arrian likewise attests the wealth, the prosperity, and the power of this portion of

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* The term 'Rajpoot' is an idiomatical corruption of the Sanscrit *Rajaputra*, 'the son of a king.' The Rajpoots are considered to be the only, or at least the purest remains, of the Chyhatrisa caste, to which the ancient princes of India belonged.

† Ward's View of the Hindus, vol. i. p. 50. ‡ Thal. c. 95.

India.* It is highly interesting, then, to investigate the traces of this ancient civilisation,—to search for even the mutilated relics of a government 2000 years old; and, after having expended so much laborious study, with so little comparative effect, in the south and east of India, it may be expected that the facilities now afforded for research in the west, will not be neglected.

Although, until the appearance of Sir John Malcolm's Memoir of Central India, a few casual and scanty notices were all that modern writers added to the meagre accounts of the Rajpoots given by early travellers; they were described by these travellers in terms calculated to provoke curiosity. The power of their princes, at a time when the rest of India was enslaved by the Moguls; the courage and generous qualities of the people, are extolled by authors of different nations, English, French, and German, who visited India in the beginning of the seventeenth century. Sir Thomas Roe, our ambassador to the Mogul Court, in 1615, mentions, with a kind of enthusiasm, in one of his letters, a Rajpoot prince whom he met there, 'the true descended heir of Porus, that was overcome by Alexander, called Ranna;'† and he describes, as well as Sir Thomas Herbert,‡ in glowing colours, the splendid remains of Cheetore, the ancient capital of Mewar. Mandelslo, who visited the court of Jehangir, a few years after Roe, expatiates upon the power of the Rajpoot princes, then vassals of the empire. Hawkins, in 1610, found that most of the great munsubdars at Agra were Rajpoots; and Master Nicholas Withington, a plain-spoken Englishman, 'which was left in the Mogul's city by Captain 'Best,' in 1613, tells us, in his *Tractate* published by Purchas, that 'the Mogul says, the Razbootch knows as well to die as 'any in the world.' That accurate traveller, Bernier, bears testimony to the military virtues of the Rajpoots, observing, that they wanted nothing but order and discipline to make excellent soldiers, which is exactly true at the present day; that they were superior to the troops of the Mogul; and that the latter kept them in subjection by dexterously fomenting the discord which sprung out of the conflicting interests, feuds, and prejudices of the different states, which have ever proved the bane of this martial race.

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* Lib. v. c. 25.

† *Rana* is the title of the Prince of Mewar. The descent of the family from Porus, is nearly as apocryphal as their own asserted genealogy, derived from *the Sun*.

‡ The details given by Herbert, respecting Western India, are full and accurate, but sadly disguised by his vile affectation and Euphuism.

The testimony of Mahommedan writers is still more favourable to the Rajpoot character, because it is often wrung from unwilling witnesses. In that curious work, the Memoirs of the Emperor Baber, written by himself—perhaps, without exception, the best translated and best edited work in our language—the accomplished King of Ferghana reluctantly acknowledges that he was almost foiled by the Mewar prince and his Rajpoot auxiliaries. Hemayoon, Akbar, and Jehangir, (who was the son of a Rajpoot princess,) wielding the whole force of the empire, and aided by recreant Rajpoots, were unable to complete the conquest of this corner of India, as the latter rather coyly confesses in his own Memoirs; confirming the remark of Sir Thomas Roe, that the emperor subdued the Prince of Mewar 'more by 'composition than by force, having rather bought him than 'won him.'

From its geographical character and position, Rajpootana is an outwork of India, in a quarter upon which a land invasion is most likely to burst; it has consequently been the scene of many a bloody struggle, when its boundaries were much wider than they are at present. From the time of Alexander, till the establishment of the Mogul dynasty in India, there are records of distinct inroads of hostile people, assimilated to each other only by the ferocity with which they strove to obliterate the traces of the arts of Rajasthan. To their being placed in this post of danger—a country in many parts studded with natural fortresses, and well adapted for defence—may be attributed, in a great measure, the heroic character, and martial propensities, of the Rajpoot tribes, which have been cherished amongst them by institutions bearing a remarkable analogy to the feudal and chivalric customs of the West.

Colonel Tod, whose splendid work is before us, possessed advantages, accidental as well as inherent, for the office of historian of Rajpootana, not often combined. He was officially employed, in the whole, for nearly twenty years in the country; latterly as political agent from the British government to the Western States, when they became our subsidiary allies. The disorganized condition of the States, exhausted by Mahratta exactions, and swarming with thieves, afforded a fine opportunity to a person of his ardent temperament to endeavour to re-adjust the scattered fragments of government. He tried, and he appears to have succeeded almost beyond hope. Colonel Tod has drawn a contrast between Mewar as it is, and as it was, which is really astonishing; and if we scrupled to trust the fidelity of his picture, the representation given by a perfectly disinterested

witness, Bishop Heber,* of the nature of his services, and of the gratitude with which they have impressed the hearts of the people, would banish all doubts of the fact.

An enthusiastic fondness for the undertaking, which can be discerned throughout his work, made Colonel Tod seize upon every opportunity offered by the facilities of his situation, and by the grateful sensibility of the Rajpoot authorities, to collect historical data of every kind; and the result has been the accumulation of a prodigious mass of materials, which diffuse a clearer and steadier light than has hitherto been cast upon Hindu antiquities.

We shall endeavour to give our readers an idea of the contents of this formidable quarto of 800 pages, being the *first* volume of the work. The undertaking is somewhat difficult; for, independently of the great bulk and variety of the materials, there is a want of condensation throughout, for which, it is but just to say, Colonel Tod's shattered health affords too good an excuse, but which grievously embarrasses an epitomist.

A brief dissertation on the geography of Rajasthan is accompanied by a magnificent map, constructed almost exclusively from the indefatigable surveys of the author. Colonel Tod

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* ' All the provinces of Mewar were, for a considerable time after their connexion with the British government, under the administration of Captain Tod, whose name appears to be held in a degree of affection and respect, by all the upper and middling classes of society, highly honourable to him, and sufficient to rescue these poor people from the often repeated charge of ingratitude. At Dabla, and in our subsequent stages, we were continually asked by the cutwals, &c. after " Tod Sahib," whether his health was better since his return to England, and whether there was any chance of their seeing him again. On being told it was not likely, they all expressed much regret; saying that the country had never known quiet till he came among them, and that every body, whether rich or poor, except thieves and Pindarries, loved him. At Bheelwara, every one was full of Captain Tod's praise. The place had been entirely ruined by Jumsheed Khan, and deserted by all its inhabitants, when Captain Tod persuaded the Ranah to adopt measures for encouraging the owners of land to return, and foreign merchants to settle. He himself drew up a code of regulations for them; obtained them an immunity from taxes for a certain number of years, and sent them patterns of different articles of English manufacture for their imitation. He also gave money liberally to the beautifying their town. In short, as one of the merchants, who called on me, said, " It ought to be called Tod-gunge; but there is no need, for we shall never forget him." Such praise as this, from people who had no further hopes of seeing or receiving any benefit from him, is indeed of sterling value.'—Heber's *Narrative*, vol. ii. p. 42.

transports the reader to the top of Mount Aboo, the 'Saints' 'Pinnacle'—the Rajpoot Olympus—5000 feet above the level of the sea, and in a bold, graphic style, dashes off a kind of panoramic sketch of the whole country. The most remarkable feature is the great *Patar*, or Table Land, diversified by clustering ridges, penetrated by the Cali Sind and Parbutty rivers, and stretching away, in bold ranges, to a considerable distance in a north-easterly direction. This mountainous part of Rajpootana, which is flanked on the west by the strong buttresses of the Aravulli chain, comprehends Mewar, Harouti, (including the states of Boondi and Kotah,) and Kerowli.

The bulk of the volume is occupied with the Annals of Mewar, the modern Oudipore, the chief state of Rajasthan.

History is considered to be an art unknown in India. If by *history* we understand that specific form of composition adopted by Thucydides and Livy, Hindu science cannot be vindicated from this reproach. The history of Cashmeer, translated by Mr Wilson of Calcutta, a solitary specimen of ancient Hindu history, discovered by the most persevering diligence, may be regarded as an accidental anomaly. Orissa is said to possess original histories of its *modern* kings, who reigned till the middle of the sixteenth century; and such works are cited in a recent volume of the Asiatic Researches. It is remarkable that the people of this province are described as the most effeminate, as well as the dullest and most stupid, throughout India. Modern works of history by Hindus, in Persian and the dialects, are not uncommon. There is a Rajavali, or history of kings, by a certain Mrillunjaya Vidyalankara, a native of Bengal, now living, we believe, which is a sort of chronicle of events from King Vicrama, and discovers a magnanimous disregard of probability.* The truth is, that a mode of writing so severe as our historical composition, and which chains down the mind to a narrative of facts, seems unsuited to the taste of Asiatics, and inconsistent with the peculiar character impressed upon Eastern literature in general. All the intellectual offspring of the Hindus bear the mark of imagination upon them. Poetry tinctures their astronomy, their metaphysics, even their musical treatises, in which modes, and their subordinate modifications, are personified as Ragas and Raginis. To assert, however, that India is destitute of works of an historical nature, is, we apprehend, to assume that which is utterly improbable, as well as contrary to

* Even the Raj Taringini, or History of Cashmeer, records reigns of 190 and 300 years!

the fact. The Puranas, the Cheritras, the heroic poems, the dramas of the Hindus, are historical works, more or less adulterated and debased with absurdities, from which, however, the work of Herodotus himself is by no means exempt.

Before we can decide this interesting point, we must enlarge our acquaintance with ancient Hindu literature, which, comparatively speaking, is almost unexplored, considering that there exist vast libraries yet untouched; and that of the eighteen learned languages of India, equally refined with the Sanscrit, (one of which may have been expressly appropriated to history,) we know the names merely of some half dozen. Colonel Tod tells us, and it is gratifying to learn, that 'immense libraries, 'in various parts of India, are still intact, which have survived 'the devastations of the Islamite: the collections of Jessulmer 'and Puttun, for example, escaped the scrutiny of even the 'lynx-eyed Alla. Many other minor collections, consisting of 'thousands of volumes each, exist in Central and Western India, 'some of which are the private property of princes, and others 'belong to the Jain communities.'

It is from such records as those just before referred to, especially the poems of Chund, the great bard of Rajasthan, aided and elucidated by inscriptions, coins, charters, and legendary tales, that Colonel Tod, with painful, yet patient diligence, compiled his account of Mewar, in the country itself, where every valley is eloquent with tradition, and amongst the interesting people he has described. These favourable contingencies have imparted to his work much of the freshness and fidelity of a native composition, with some of its defects, particularly a diffuseness, and an occasional turgidity of style.

The following is a concise epitome of the history of Mewar, after it emerges from the mist of fable, in which the early transactions of all nations are enwrapped: Keneksen, the founder of the Gehlote dynasty of Mewar, the descendant of the sun, and of the stock of Rama, is supposed to have migrated from the north of India to Saurashtra, in the year 201 of the Samvat era, or A.D. 145. We almost lose the thread of the history of this family, however, till A.D. 524, when Balabhipoora, the capital of their state, was sacked by 'barbarians from the north.' The daughter of the reigning prince alone escaped. She left an infant named Goha, (whence the patronymic of the family, Gohilote, corrupted to Gehlote,) who was nurtured in the woods and mountains with the savage Bheels, grew up a daring and lawless character, and finally wrested from its possessor the principality of Edur. Goha's eighth descendant was assassinated by his Bheel subjects, and expelled from Edur. The infant heir, Bappa, was

preserved in the Alpine recesses of the Aravulli; and tradition relates numerous incidents of his early history, in which the real is, as usual, discoloured by the marvellous and supernatural. Bappa, however, established his authority in Mewar, and possessed himself of Cheetore, which had belonged to a branch of his family, and which became thenceforth the palladium of the state. This event took place A.D. 728, as ascertained by Colonel Tod, by the fortunate discovery of a peculiar era, the Balabhi Samvat, 375 years subsequent to that of Vicramaditya, or the common Samvat. It was at this period that the Moslems first crossed the Indus, and Colonel Tod seems justified in ascribing to Bappa, amongst other heroic deeds, the defeat of Mahommed bin Kasim, who headed the invaders.

Between Bappa and Sacti Komar, A.D. 968, nine obscure princes intervened, during whose period the Moslems invaded Rajpootana, and assaulted Cheetore. The date of Sacti Komar, as given by the Mewar chronicles, is confirmed by a Sanscrit inscription found amongst the ruins of Aitpoor, 'the city of the 'sun,' now deserted and forgotten, but which, the inscription testifies, nine centuries back, 'derived its beauty from the inter-'course of merchants, and in which there was but a single evil, 'the killing darts from the bright eyes of the fair.'

From Komar to Samarsi, A.D. 1206, fifteen princes are dismissed in a single paragraph; their reigns appear to have been wasted in wars with the neighbouring states, and with the 'bar-'barian.' Samarsi is celebrated in the works of Chund, the Rajpoot Homer, the chronicler of Pirthi-Raj, the last of the Tuar (Hindu) sovereigns of Delhi; he had married the sister of Pirthi-Raj, whom he resembled in personal heroism. In conjunction with this Hindu Rolando, he withstood the assault of Shabudin, on the Caggar, and fell with the flower of their chivalry. With these two heroes sank the Chohan empire of Hindostan. 'Scenes of devastation, plunder, and massacre 'commenced,' says the historian, 'which lasted through ages, 'during which all that was sacred in religion or celebrated in 'art was destroyed by these ruthless and barbarous invaders. 'The noble Rajpoot, with a spirit of constancy and enduring 'courage, seized every opportunity to turn upon his oppressor. 'By his perseverance and valour he wore out entire dynasties 'of foes, alternately yielding to his "fate," or restricting the 'circle of conquest; and every road in Rajasthan was moisten-'ed with torrents of blood of the spoiled or the spoiler. In 'these desperate conflicts entire tribes were swept away, whose 'names are the sole memento of their former existence and ce-'lebrity.'

The heroism of the Rajpoot character is developed occasionally even in their females. The widow of Samarsi rallied the Rajpoot chiefs around her infant son; gave battle to one of the Mahommedan generals, and defeated him.

The history of the state becomes, from this period, more connected and more authentic. It is, however, little else than a record of domestic feuds and foreign wars. In the space of half a century no less than nine princes reigned in Cheetore, of whom six fell in battle. In the year 1275, Alla-o-din succeeded in gaining possession of this city, which was sacked, with circumstances of characteristic atrocity. The Hindu bard has thrown the mantle of poetry over this transaction; he relates, that love, not ambition, was the motive which incited the Patan emperor to attack Cheetore; that the charms of the fair Pudmani had won his heart. This disastrous event, which forms a conspicuous era in the Mewar annals, was attended by one of those frightful exhibitions of self-sacrifice which characterise the Hindus, and cannot be paralleled, to the same extent, in any other civilized country. Prior to the desperate sally of the besieged, preparations were made for the horrible rite termed *johur*, in which the females devote themselves to the flames, to preserve their liberty and honour. Funeral pyres were lighted in subterranean chambers; the defenders of Cheetore beheld their wives and daughters, with the fair Pudmani, to the number of several thousands, march in solemn procession to the cavern; the opening was closed upon them, and the wreaths of horrid smoke gave a kind of supernatural impulse to the furious valour of the Rajpoots, as they carried death or met it in the crowded ranks of Alla.

The heir of Mewar was still preserved, and he proved a hero. Taking refuge in Kailwara, at the extremity of the state, full of intricate defiles, he waited, like Alfred, with his faithful adherents, for an opportunity to recover his patrimony. By dexterity he retrieved Cheetore, and by valour he retained it. The 'Standard of the Sun' was raised once more, and Mahmood, the successor of Alla, was defeated, made a prisoner, confined in the very Cheetore which his predecessor had sacked, yet liberated upon surrendering Ajmer and other conquests, and paying a ransom of 50 lacs of rupees and 100 elephants. So say the Mewar annals; but Ferishta suppresses this victory over the Ghilji monarch.

The next two centuries saw this Rajpoot state almost at the pinnacle of its splendour: a succession of great princes enlarged her territory, and left durable memorials of their power

and their virtues in magnificent public works, and splendid embellishments of the capital, in which Alla had spared but one ancient work, a Jain temple, still subsisting.*

Between the Rahtores (the Marwar Rajpoots) and the Seesodias of Mewar, there arose a fierce feud in this interval, which led to disastrous consequences; and as the cause of it illustrates a feature in the character of this people—their fastidious delicacy of sentiment—it deserves to be noticed.

When Lakha, the rana of Mewar, was advanced in years, a proposal of marriage came from the Rahtore prince, to affiance his daughter to the heir of Mewar. Chonda, the young prince, was absent when the 'cocoa-nut,' the pledge of the marriage proposal, arrived; and the old chief playfully observed, that he supposed it was not intended for him. The mere surmise was sufficient to shock the delicacy of Chonda, who declined accepting the pledge; and, as it could not be returned without a mortal affront to the sender, the old rana agreed to wed the lady himself, provided Chonda renounced his birthright in the event of a son being born. Chonda swore assent by Eklinga, the guardian deity of Mewar, supposing, perhaps, the event improbable; a son *was* born; Chonda observed his oath; and the order of primogeniture was unhappily changed, which was productive of many misfortunes. As the young rana gained the throne through a violation of delicacy on the part of his father, so he lost it and his life by a similar indiscretion on his own. He inadvertently enquired of an uncle, the natural brother of his father, the name of a particular *tree*, which was construed into a reflection upon the uncle's pedigree, he being the son of a *carpenter's* daughter; and the rana was assassinated, A.D. 1419.

The effects of this crime, and of a subsequent parricide, seem scarcely, however, to have produced so much injury to Mewar as the discord between the heroic sons of Raemul. This rana was a man of valour, and routed the king of Delhi. His sons, Sanga, (afterwards the competitor of Baber,) and Pirthi-Raj, (who emulated the deeds of the Chohan emperor, his namesake,) conceived a deadly enmity towards each other. Their battles are related with a precision which shows the exactitude with which events must have been recorded in those days. Colonel Tod has inserted a very characteristic dialogue between Pirthi-Raj and his uncle Soorajmul, in the interval of one of

* When Roe and Herbert visited the ruins of this city, the number of temples was upwards of 100, 'all of stone,' says the latter, 'white, and well polished, albeit now inhabited by storks, owls, and bats.'

their single combats, which is preserved in a MS. of this date, belonging to a successor of Soorajmul.

The most striking event in the history of Mewar, is its invasion by the emperor Baber. At that period the gadi was filled by Sanga, or Sinka, as he is termed by Mahommedan writers—a name worthy of being ranked amongst the brightest on the page of Indian history. Mewar was, at this time, 'on the apex of 'her glory;' for the rana had entirely allayed the disorders occasioned by the intestine feuds of his family; he had extended the boundaries of the state; he controlled the greater part of Rajasthan; even Marwar and Amber did him homage; and, but for the irruption of the Jagatai, he might have attained the crown of the *Chacraverta*, or 'universal potentate.' He could lead into the field 80,000 horse, with 500 war elephants, and was attended by seven rajas of the highest rank, nine raos, and 104 chieftains bearing the titles of rawul and rawut.

'A descendant of the Toorshka of the Jaxartes, the ancient foe of the children of Soorya and Chandra (the sun and moon), was destined to fulfil the prophetic Pooran, which foretold dominion "to the Toorshka, "the Yavan," and other foreign races, in Hind; and the conquered made a right application of the term, *Toork*, both as regards its ancient and its modern signification, when applied to the conquerors from Toorkistan. Baber, the opponent of Sanga, was king of Ferghana, and of Toorki race. His dominions were on both sides the Jaxartes, a portion of ancient Sakatai or Saca-Dwipa (Scythia), where dwelt Tomyris, the Getic queen, immortalized by Herodotus, and where her opponent erected Cyropolis, as did in after times the Macedonian his most remote Alexandria. From this region did the same Gete, Jit, or Yuti, issue to the destruction of Bactria, two centuries before the Christian era, and also five subsequent thereto, to found a kingdom in northern India. Again, one thousand years later, Baber issued with his bands to the final subjugation of India. As affecting India alone, this portion of the globe merits deep attention; but as the "*officina gentium*," whence issued those hordes of Asi, Jits, or Yeuts, (of whom the Angles were a branch,) who peopled the shores of the Baltic, and the precursors of those Goths who, under Attila and Alaric, altered the condition of Europe, its importance is vastly enhanced. But on this occasion it was not redundant population which made the descendant of Timoor and of Jungheez abandon the Jaxartes for the Ganges, but unsuccessful ambition; for Baber quitted the delights of Samarcand as a fugitive, and commenced his enterprise, which gave him the throne of the Panduas, with less than 2000 adherents.'

The first shock between these powerful rivals took place in February 1527, according to the Memoirs of Baber, but the Mewar annals place the event in 1528. The Toorki prince advanced from Agra and Sikri to meet Sanga, who was in full march against the invader, at the head of nearly all the princes of Rajasthan. The rana encountered the advanced guard of the

Tartars, 15,000 strong, at Kanua, and entirely destroyed them. Other bodies met a similar fate. The fugitives, pursued to their very camp, carried dismaying intelligence of the valour of the Rajpoots. Baber, instead of advancing in the career of victory, was forced to intrench his army. For nearly a month he remained inactive, blockaded in his encampment. Such was his extremity, that he determined to debar himself from the seductive sin of wine, to which Baber, as well as his descendants, Hemayoon and Jehangir,* were addicted to excess. He says, in his journal,

'On Monday the 23d of the first Jemadi, I had mounted to survey my posts, and in the course of my ride was seriously struck with the reflection that I had always resolved, one time or another, to make an effectual repentance. I vowed never more to drink wine. Having sent for the gold and silver goblets and cups, with all the other utensils used for drinking-parties, I directed them to be broken, and renounced the use of wine, purifying my mind. The fragments of the goblets and other utensils of gold and silver, I directed to be divided amongst derwishes and the poor. That night and the following, numbers of amirs and courtiers, soldiers and persons not in the service, to the number of nearly 300 men, made vows of reformation. The wine which we had with us we poured on the ground. I had previously made a vow, that if I gained the victory over Rana Sanka, the pagan, I would remit the temgha (stamp-tax) levied from Mussulmans. At the time when I made this vow of penitence, Derwish Muhammed Sarban, and Sheikh Zin, put me in mind of my promise. I said, "you "did right to remind me of this: I renounce the temgha in all my domi- "nions, so far as concerns Mussulmans;" and I sent for my secretaries, and desired them to write, and send to all my dominions, firmans conveying intelligence of the two important incidents that had occurred.'†

Even these expedients failed. The emperor tells us, that 'in 'consequence of preceding events, a general consternation and 'alarm prevailed among great and small; there was not a single 'person who uttered a manly word, not an individual who deli- 'vered a courageous opinion!' The king made, at length, a solemn appeal to the religion of his troops. Having addressed them in a strain of courage, bordering on desperation, he seized a moment of excitation, and made his army swear on the Koran, that 'none would turn his face from this warfare, nor desert from the

* Memoirs of Jehangir, translated by Major Price, p. 7. This emperor tells us that he had carried his indulgence in wine to such excess, that his daily allowance was twenty cups, and sometimes more, each cup containing half a seer, equal to something short of a gallon. This emperor was, therefore, what we should now call 'a five-bottle man!'

† Memoirs of Baber, p. 354.

'battle and slaughter that ensue, till his soul was separated 'from his body.'*

To this enthusiasm, Baber ascribes his victory over the Rajpoot army. The Annals, however, trace this disaster to treachery. The battle, which decided the fate of Mewar, was fought on the 16th March, 1527; it commenced by an attack of the Rajpoots on the intrenched camp of the Tartars. Whilst the issue was doubtful, a Rajpoot chieftain, of the Tuar tribe, went over, by concert, to Baber, and Sanga was forced to retreat from a field which promised a harvest of glory, himself severely wounded, and the choicest of his chieftains slain. He died soon after, not without suspicion of poison.

The overthrow of Rajpoot independence was not complete, however, till the grandson of Baber, the great Akbar, brought his virtues to the aid of his arms. It still lingered, nevertheless, in the fortresses of Mewar, and, perhaps, under less unfavourable circumstances, might have bourgeoned forth in pristine vigour under Pertap,—whose interesting history fills the most delightful chapter in the Annals,—had not 'the wily Mogul' arrayed against him his kindred in faith and in blood. 'The princes of 'Marwar, Amber, Bikaner, and even Boondi, late his firm ally, 'took part with Akbar, and upheld despotism; nay, even his own 'brother, Sagarji, deserted him, and received, as the price of his 'treachery, the ancient capital of his race, and the title which 'that possession conferred.'

It is unnecessary for us to pursue the history of this State farther. When the yoke of the Moguls became lighter,—and when the shaking of that powerful empire afforded a fair prospect to the Rajpoots of recovering their ancient independence, they were labouring under the enfeebling vices which slavery engenders; and though they made some languid efforts, yet, eventually, they submitted, almost without a struggle, at least without a desperate struggle, to the Mahrattas. The virtues of the Rajpoot character beamed out in the Ranas Umra, the amiable contemporary of Jehangir; Juggut Sing, the patron of the arts; Raj Sing, the author of that remarkable letter to Aurungzeb, which has been so often published, and the embellisher of the modern capital, Oudipore,† and in a few other princes; but the exactions and unrelenting tyranny of the 'Goths of India,' had converted Rajasthan almost into a desert,

* Memoirs of Baber, p. 357.

† Begun by Oudy Sing, when driven from Cheetore by Akbar.

when the British army penetrated, for the first time, into its recesses.

We shall now endeavour to give the reader some distinct image of the Rajpoot character, as it is exemplified in their very peculiar manners and institutions. We can only draw an outline, for considerable space would be requisite to fill up the picture.

To the subject of the religion and religious establishments of this people, Colonel Tod has dedicated a large portion of a distinct dissertation on their manners, which had appeared in the Transactions of the Royal Asiatic Society of London, prior to the publication of his work.

The Rajpoots of Mewar are divided into three sects,—the followers of Siva, the orthodox sect, those of Vishnu, and the Jains. Siva, or Mahadeva, is the tutelary deity,* and worshipped, as Eklinga, under the monolithic symbol (or Lingam), or as Iswara Chaomukhi, the quadriform divinity, represented by a bust with four faces. The shrine of Eklinga is in a defile about six miles north of Oudipore, on the very spot where, it is said, Bappa, the first of the Mewar princes of Cheetore, discovered the phallic symbol of the god imbibing the lacteal juices from one of the kine he tended. The temple is described by Colonel Tod as an immense structure, built entirely of white marble, elaborately carved and embellished. The most antique temples are seen around this sacred retreat, either in the dark gorge of the mountain, or on its rugged summit, in the depths of the forest, and at the sources of streams. The hills, towering around, are of the primitive formation, and their scarped summits are clustered with honeycombs. 'It would be difficult,' he says, 'to convey 'a just idea of a temple so complicated in its details. It is of 'the form commonly styled pagoda, and, like all the ancient tem-'ples of Siva, its *sikra*, or pinnacle, is pyramidal, its sides varying 'with the base, whether square or oblong. Under an open-vault-'ed temple, supported by columns, and fronting the four-faced 'divinity, is the brazen bull, Nanda, (who has his altar attached 'to all the shrines of Iswara,) of the natural size; the statue is 'cast, and of excellent proportions.'

The Vaishnus are a growing sect, and fast encroaching upon the Saivas; and Colonel Tod considers that the predominance of the mild doctrines of Kaniya (Vishnu) over the dark rites of Siva, is beneficial to Rajpoot society. 'Were the prevention of

* The government of Mewar is called by its princes *Chaomukhi raj*, in allusion to the quadriform deity, who is esteemed the sovereign; the rana, vicegerent only.

'female immolation the sole good resulting from their preva-'lence, that alone would conciliate our partiality. In fact, their 'tenderness to animal life is carried to nearly as great an excess 'as with the Jains, who shed no blood.' The most celebrated fane of the Hindu Apollo (Kaniya) is Nathdwara, which has nothing remarkable in its structure or situation; it owes its celebrity entirely to the image of Crishna, said to have been the same that has been worshipped at Mathura since his deification. Within the courts of the sanctuary, which extend to a considerable distance around Nathdwara, the criminal is safe from pursuit; the rod of justice dares not appear on the mount, nor the foot of the pursuer pass the stream. 'The territory contains within its pre-'cincts abundant space for the town, the temple, and the esta-'blishments of the priests, as well as for the numerous worship-'pers, and the constant influx of votaries from the most distant 'regions.'

The Jains or Budhists of Rajasthan are denominated *vediavan*, or magi. The Balabhi princes were of this faith, which once spread widely over India. Its votaries seem to have taken refuge there from the persecutions in other quarters; and although one of the heterodox sects, their priests, who are men of much learning, are still objects of great respect even to the princes of Rajpootana. This sect is distinguished by atheistical tenets, and by a sedulous observance of the law, 'thou shalt not kill.' A Jain prince lost his territory because he refused to take the field in a season when insects abounded, lest he should destroy life unnecessarily. 'The numbers and power of these sectarians,' remarks Colonel Tod, 'are little known to Europeans, who take 'it for granted that they are few and dispersed. To prove the 'extent of their religious and political power, it will suffice to 'remark, that the pontiff of the Khartra-gatcha, one of the many 'branches of this faith, has 11,000 clerical disciples scattered 'over India; that a single community, the Osi, or Oswal, numbers '100,000 families, and that more than half of the mercantile 'wealth of India passes through the hands of the Jain laity.'

Although not the religion of the State, the most popular creed is that of Crishna, or Kaniya. The mytho-history of this divinity is full of those incidents which captivate the imagination and senses: the voluptuous songs which enliven his festivals; the elegance with which the loves of Kaniya and Radha, and the luxurious scenes in the groves of Vrij, are celebrated in the beautiful odes of Jydeva, conspire to increase the number of his votaries. We are disposed, however, to doubt whether the remark of Colonel Tod as to the beneficial influence of this heterodoxy should not be received *cum grano salis*.

A statute of mortmain is much wanted in Rajasthan; there is scarcely a state, it appears, in which one-fifth of the soil is not assigned for the support of the temples and their ministers. This is the portion of the state revenue which is alienated in Mewar in religious grants; and such is the scrupulous apprehension, on the part of the princes, of the sin of resuming these prodigal gifts, that in 1818, when political and other accidents had left a large portion of the lands without representatives of the original grantees, the rana, dreading a 'residence of 60,000 'years in Hell,' refused to resume them; and some of the finest land in the country is doomed to remain unproductive. The shrine of Eklinga is endowed with 24 large villages from the fisc, besides parcels of land from the chieftains; but the gifts which flow in a perennial stream to the favoured shrine of Crishna far exceed the donations to the other member of the triad. 'From 'the banks of the Indus to the mouths of the Ganges—from the 'coasts of the peninsula to the shores of the Red Sea—the gifts 'of gratitude or fear are lavishly poured in; and though the un-'settled aspect of the last century curtailed the transmission of 'the more bulky, but least valuable benefactions, it less affect-'ed the bills of exchange from the successful sons of commerce 'or the legacies of the dead. There is no donation too great or 'too trifling for the acceptance of Crishna, from the baronial 'estate to a patch of meadow-land—from the gemmed coronet, 'to adorn his image, to the widow's mite; nor is there a prin-'cipality in India, which does not diminish its fisc to add to his 'revenues.' His godship has no objection, it appears, to receive his tax in kind. 'The spices of the isles of the Indian archi-'pelago—the balmy spoils of Arabia—the nard of Tartary—the 'raisins and pistachios of Persia—every variety of saccharine 'preparation, from the sugar-candy of China, to the common 'sort—the shawls of Cashmere—the silks of Bengal—the scarfs 'of Benares—the brocades of Guzerat, all contribute to enrich 'the shrine of Nathdwara.' The Brahmins who thus fatten upon the people, and exert a pernicious influence over the prince, like the monks in the dark ages, do not scruple at the grossest frauds to support their ascendency. Colonel Tod says, there is no doubt that the grand charter of Nathdwara was a forgery.

Next to religion, arms exert the strongest influence over the Rajpoots, and seem to have moulded their character and institutions into their present shape. Colonel Tod has, with much ingenuity and considerable research, digested into a separate dissertation a mass of evidence, tending to show an identity between the military tenures of the Rajpoots and the feudal system of Europe. Giving every possible weight to the parallels and

coincidences between the two systems, pointed out by Colonel Tod, some of which are highly curious, still, we apprehend, the tenure of land on condition of military service, which is an expedient so simple, and withal so obvious, in order to provide for public defence, must everywhere produce incidents more or less alike. 'It is easy to find partial resemblances to the feudal 'system,' says Mr Hallam, in a passage which Colonel Tod candidly quotes: 'such a resemblance of fiefs may be found in 'the Zemindars of Hindustan, and the Timariots of Turkey.' The jagheer system, invented by the Moguls, is a life-rent military tenure, resumable on failure of service. Let it be remarked, moreover, that some of the incidents selected by Colonel Tod from our feudal law, were rigorous and oppressive inventions suggested by, and extracted from, that law, by the ingenuity of Norman jurists, and ingrafted upon the pure and simple system imported into England by our Saxon ancestors. We may add, that there is a discrepancy between the Rajpoot and the European systems, which is fatal to the theory of an original identity; namely, in the latter, it is a fundamental maxim and necessary principle, that the king is the universal lord and original proprietor of all the lands in the kingdom, which are derived from him and held of him upon service; whereas such a doctrine appears to be scouted in Rajasthan, where the prince's right extends, as in other parts of India, merely to the revenue derivable from the land, which is all he can grant, except from the fisc. This is evident enough from an anecdote related by our author. 'The Pat Rani, or chief 'queen, on the death of Prince Umra, the heir-apparent, in '1818, bestowed a grant of fifteen bigahs of land, in one of the 'central districts, on a Brahmin, who had assisted in the funeral 'rites of her son. With grant in hand, he hastened to the Jat 'proprietor, and desired him to make over to him the patch of 'land. The latter coolly replied, that he would give him *all the 'prince had a right to, namely, the tax.* The Brahmin threatened 'to spill his own blood if he did not obey the command, and 'gave himself a gash in a limb; but the Jat was inflexible, 'and declared that he would not surrender his patrimony, (*ba-'pota,*) even if he slew himself.' Traits of resemblance, however striking, in respect to martial customs, between nations who have nothing else in common—whose languages, creeds, and civil customs, are radically dissimilar—may afford matter for curious disquisition, but nothing more.

The courage and physical energies of the Rajpoots distinguish them broadly from other Hindu races. Their annals teem with examples of heroism, and until their independence was extin-

guished, they appear as a nation of heroes. 'There is not a petty 'state in Rajasthan that has not had its Thermopylæ, and scarcely 'a city that has not produced its Leonidas,' says their historian. The *herole*,—vanguard, forlorn hope and post of danger,—was the envied privilege of one of the families. When honour and patriotism demanded it, a whole tribe would put on the 'saffron 'robe,'—the signal of devotion to death,—and perish to a man, sword in hand. The epithet 'coward' they esteem a concentration of all other terms of reproach, and to include every vice.

Many of the virtues and vices of the Rajpoot character are evidently off-sets from the two radical qualities,—superstition and courage. Even the respect which, contrary to the vulgar opinion respecting Hindu manners, they pay to their women, may be traced to both. 'Like the ancient German or Scandi-'navian, the Rajpoot consults the fair in every transaction; from 'her ordinary actions he draws the omen of success, and he ap-'pends to her name the epithet *devi*, or "god-like:" the women 'are nearly every thing with the Rajpoot.' This deference seems due to them: the Rajpootnis are depicted in very favourable colours. They are secluded, it is true, but not from knowledge; they are well educated, and their accomplishments, added to their exemplary characters as wives and mothers, give them a deserved estimation and influence in Rajpoot society. 'Most erro-'neous ideas,' Colonel Tod observes, 'have been formed of 'the Hindu female from the pictures drawn by those who never 'left the banks of the Ganges. They are represented as degra-'ded beings, and that not one in many thousands can even read. 'I would ask such travellers whether they knew the name of 'Rajpoot, for there are few of the lowest chieftains whose 'daughters are not instructed both to read and write. But of 'their intellect and knowledge of mankind, whoever has had to 'converse with a Rajpootni guardian of her son's rights, must 'draw a very different conclusion.' Of the romantic adventures connected with the sex, we have an example in the amour of Sadoo and Korumdevi, an incident worthy of a place in the chronicles of knight-errantry.

'In spite of their seclusion,' remarks Colonel Tod, 'the knowledge of their accomplishments and of their personal perfections radiates wherever the itinerant bard can travel. Though invisible themselves, they can see, and accident often favours public report, and brings the object of renown within the sphere of personal observation. Placed behind screens, they see the youths of all countries; and there are occasions when permanent impressions are made during tournaments and other martial exercises.

'The influence of women on Rajpoot society is marked in every page of Hindu history from the most remote periods. What led to the wars of

Rama? The rape of Sita. What rendered deadly the feuds of the Yadus? The insult to Droopdevi. What subjected the Hindu to the dominion of the Islamite? The rape of the princess of Canouj. In fine, the cause which overturned kingdoms, commuted the sceptre to the pilgrim's staff, and formed the groundwork of all their grand epics, is woman. In ancient, and even in modern times, she has had more than a negative in the choice of a husband, and this choice fell on the gallant and the gay.

'It were superfluous to reason on the effects of traditional histories, such as these, on the minds and manners of the females of Rajasthan. They form the amusement of their lives, and the grand topic in all their conversaziones: they read them with the *purohit*, and have them sung by the itinerant bard, or Dholi minstrel, who disseminates them wherever the Rajpoot name extends. The Rajpoot mother claims her full share in the glory of her son, who imbibes at the maternal fount his first rudiments of chivalry; and the importance of this parental instruction cannot be better illustrated than in the ever-recurring simile, "Make thy mother's "milk resplendent,"—the full force of which we have in the powerful, though overstrained, expression of the Boondi queen's joy on the announcement of the heroic death of her son: "The long-dried fountain at which "he fed, jetted forth as she listened to the tale of his death, and the mar-"ble pavement on which it fell, rent asunder."'

This respect for women, which Europeans are too apt to regard as foreign to the Hindu institutions, is really an essential feature in them. 'Where females are honoured,' says Menu, 'there the deities are pleased; but where dishonoured, there all 'religious rites become useless.'

The Rajpoot character, according to Colonel Tod, includes the qualities of high courage, patriotism, loyalty, honour, hospitality,* and simplicity: to this list we add gratitude, which he elsewhere represents as the Rajpoot 'point of honour.' He observes, 'Ask a Rajpoot which is the greatest of crimes? he 'will reply, *goonchor*, "forgetfulness of favours." This is his 'most powerful term for ingratitude. Gratitude with them 'embraces every obligation of life, and is inseparable from '*swamdherma*, "fidelity to his lord." He who is wanting in 'these, is not deemed fit to live, and is doomed to eternal pains 'in Pluto's realm hereafter.' Their defects he ascribes mainly to political causes. He denies that deceit and falsehood are common in Rajasthan. 'There are many shades,' he remarks, 'be-'tween deceit and dissimulation; the one springs from natural

* Nothing is more common than a charge of inhospitality against the Hindus, yet no charge is less just. Bishop Heber refutes it from practical experience; and the observance of hospitality even towards an enemy is inculcated by a Hindu author, with great elegance: 'the Sandal tree im-'parts its fragrance even to the axe that hews it.'

'depravity; the other may be assumed, as with the Rajpoot, in 'self-defence.'

A curse has been entailed upon this people by the introduction of opium, which (Colonel Tod confesses) has robbed them of half their virtues, whilst it heightens their vices; giving to their natural bravery a character of insane ferocity, and to the countenance which would otherwise beam with intelligence, an air of imbecility.

'Like all stimulants,' he observes, 'its effects are magical for a time; but the reaction is not less certain, and the faded form, or amorphous bulk, too often attest the debilitating influence of a drug which alike debases mind and body. In the more ancient epics we find no mention of the poppy-juice as now used, though the Rajpoot has at all times been accustomed to his *madhava ra-peala*, or "intoxicating cup." The essence (*arac*), whether of grain, of roots, or of flowers, still welcomes the guest, but is secondary to the opiate. *Umul lar kana*, "to eat opium together," is the most inviolable pledge; and an agreement ratified by this ceremony is stronger than any adjuration. If a Rajpoot pays a visit, the first question is, *Umul kya?* "Have you had your opiate?"—*Umul kao*, "Take "your opiate." On a birth-day, when all the chiefs convene to congratulate their brother on another "knot to his years," the large cup is brought forth, a lump of opiate put therein, upon which water is poured, and by the aid of a stick, a solution is made, to which each helps his neighbour, not with a glass, but with the hollow of his hand held to his mouth. To judge by the wry faces on this occasion, none can like it, and to get rid of the nauseous taste, comfit-balls are handed round. It is curious to observe the animation it inspires: a Rajpoot is fit for nothing without his *umul;* and I have often dismissed their men of business to refresh their intellects by a dose—for when its effects are dissipating, they become mere logs. Opium to the Rajpoot is more necessary than food, and a suggestion to the Rana to tax it highly was most unpopular.* From the rising generation, the author exacted promises that they would resist initiation in this vice, and many grew up in happy ignorance of the taste of opium. He will be the greatest friend to Rajasthan, who perseveres in eradicating the evil. The valley of Oodipoor is a poppy-garden, of every hue and variety, whence the Hindu Sri may obtain a coronet more variegated than ever adorned the Isis of the Nile.'

Notwithstanding the clouds which this pernicious habit has, doubtless, flung over the Rajpoot character, the colours in which Bishop Heber, trusting to the information of others, has drawn it, must be aggravated: 'They have,' he says, 'the vices

* The Rawul of Banswarra complained of our government in bitter terms to Bishop Heber, on account of its increasing the price of opium, though he admitted it was a very good one for peace, and for putting down robbers.

'of slaves, added to those of robbers, with no more regard to 'truth than the natives of our own provinces, exceeding them 'in drunkenness, fondness for opium, and sensuality; whilst 'they have a bloodthirstiness, from which the great mass of the 'Hindus are very far removed.'* The testimony of a credible witness like Colonel Tod, the result of long and attentive observation—making every allowance for his natural bias in favour of an interesting people, for whom he evidently feels a strong affection—justifies us in pronouncing this picture greatly overcharged.

We must abstain from noticing the arts, the pursuits, the domestic economy, and the subordinate traits, which make up the details of the Rajpoot character. The fine arts have decayed. 'We cannot march over fifty miles of country,' says their historian, 'without observing traces of the genius, talent, and 'wealth, of past days; though all are now fast disappearing.' The architecture of Rajpootana ought not, however, to pass unobserved. The exquisite specimens exhibited in the plates to this work, are sufficient to vindicate the claims of the Hindus to a higher degree of perfection in this art than is usually conceded to them. These representations of Hindu architecture—especially the ancient Jain temple at Komulmer, and that at Ajmer—will tend, in conjunction with the splendid work of Captain Grindlay,† to dissipate the habitual scepticism of Europeans on this point. The Komulmer structure, which forcibly reminds us of the temple of Theseus at Athens, Colonel Tod describes as truly classic in design. The chaste simplicity of the style is characteristic of the Jain system of worship, and is strongly contrasted with the elaborate workmanship of the Saivas and other polytheists. It is assigned to the period (B. C. 200) when Sumpriti Raja, of the family of Chandragupta, or Sandracottus, bore sway in these regions. The Ajmer temple, of which an interior view is given, is a remarkable building. It is also a very ancient specimen of Hindu architecture, and a very perfect one. The interior is an extensive saloon, the ceiling supported by a quadruple series of columns, those of the centre being surmounted by a range of vaulted coverings; whilst the lateral portion, which is flat, is divided into compartments of the most elaborate sculpture.

'But the columns are most worthy of attention; they are unique in

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* Narrative, &c. vol. ii. p. 70.

† Scenery, Costumes, and Architecture, chiefly on the Western side of India.

design, and, with the exception of the Cave-temples, probably amongst the oldest now existing in India. Like all these portions of Hindu architecture, their ornaments are very complex, and the observer will not fail to be struck with their dissimilarity. It was evidently a rule in the art to make the ornaments of every part unlike the other. There may be forty columns, but no two alike. The ornaments of the base are peculiar, both as to form and execution; the lozenges, with the rich tracery surmounting them, might be transformed, not inappropriately, to the Gothic cathedrals of Europe. The projections from the various parts of the shaft, (which, on a small scale, may be compared to the corresponding projections of the columns in the *Duomo* at Milan,) with the small niches still containing the statues, though occasionally mutilated, of the pontiffs of the Jains, give them a character which strengthens the comparison. Here and there occurs a richly-carved corbeille, which still farther sustains the analogy between the two systems of architecture; and the capitals are at once strong and delicate. The central vault, which is the largest, is constructed after the same fashion as that described at Nadole; but the concentric annulets, which in that are plain, in this are one blaze of ornaments, which, with the whole of the ceiling, are too elaborate and complicated for description.'

The political relations of this interesting country with the British empire in the East constitute a subject of great importance, especially at the present moment, when our Indian Government is undergoing a minute scrutiny, with a view of correcting its obvious imperfections, and introducing into it such ameliorations as twenty years' experience, in a very eventful period of Indian history, shall have suggested. With a few remarks upon this subject, we shall bring our review to a close.

A country parcelled into separate states, with institutions such as have been described, however formidable when attacked, is not likely to encroach upon its neighbours. To these states, thus admirably adapted for boundaries of our enormous empire, if left to themselves, we have applied our subsidiary system of policy; that is, we have formed alliances with them, by which they stipulate, that they will always act in subordinate co-operation with the British Government, and acknowledge its supremacy; that they will not enter into negotiation with any state without the sanction of our Government; and that all disputes shall be referred to its award: in return for all these favours, we exact a tribute. In short, we have unhappily drawn these states into the vortex of that system which has almost neutralized the advantages it once undoubtedly yielded, by the continual impulse which it gives to the pernicious career of conquest.

No man more clearly foresaw, or has more acutely pointed out, the evils of subsidiary alliances, than that individual whose history we lately traced—Sir Thomas Munro. But for its

length, we should be tempted to cite the admirable exposition given by this shrewd politician of the vices of our subsidiary system, in a most able letter to the Marquis of Hastings, dated 12th August, 1817,* written when the progress of events was evidently enlarging the horizon of our political influence. He shows, that if this system was abstractedly erroneous at an early period of our authority in India, it is infinitely more objectionable now; since our relative situation with regard to the native powers has materially changed. Whilst the Mahommedan and Mahratta states were in their vigour, subsidiary alliances might be in some degree necessary for our safety; but now, that our footing in the country is more firm, a system which has 'a natural tendency to render the government of every country in which it exists weak and oppressive, to extinguish all honourable spirit among the higher classes of society, and to degrade and impoverish the whole people,' should certainly be abandoned. Again: 'There is another view under which the subsidiary system should be considered—I mean that of its inevitable tendency to bring every native state into which it is introduced, sooner or later, under the exclusive dominion of the British government. It has already done this completely in the case of the Nabob of the Carnatic; it has made some progress in that of the Peishwah and the Nizam; and the whole of the territory of these princes will, unquestionably, suffer the same fate as the Carnatic.' These are the prophetic sentiments of an experienced observer of Indian policy,—a man thoroughly conversant with the native character, and no enemy to 'things as they are.' We heartily concur with Colonel Tod in regretting that Lord Hastings suffered so favourable an opportunity to escape of arresting the progress of this mischievous policy, by making the Rajpoot states really independent, and thereby impressing on a brave and grateful people a sense of obligation, which would prove a wall of defence against invaders, from whatever quarter they might come. We subjoin a few reflections of Colonel Tod on this subject:

'We have nothing to apprehend from the Rajpoot states, if raised to their ancient prosperity. The closest attention to their history proves that they were incapable of uniting even for their own preservation. No national bond exists amongst them, as amongst the Mahrattas; and each chief being master of his own house and followers, they are individually too weak to cause us any alarm. No feudal government can be dangerous as a neighbour; for defence, it has in all countries been found

* Life of Sir Thomas Munro, vol. i. p. 460.

defective, and for aggression, totally inefficient. Let there exist between us the most perfect understanding and identity of interests, the foundation-step to which is to lessen or remit the galling and, to us, contemptible, tribute now exacted; enfranchise them from our espionage and agency, and either unlock them altogether from our dangerous embrace, or let the ties between us be such only as would ensure grand results; such as general commercial freedom and protection, with treaties of friendly alliance, Then if a Tartar or a Russian invasion threatened our Eastern empire, 50,000 Rajpoots would be no despicable allies.'

We must now conclude our account of this volume, though we leave many of its topics untouched. It is, indeed, a valuable magazine of Oriental information; and it has great recommendations, we may mention, in its typography and beautiful plates, to the lovers of fine books. As we have spoken of its arrangement and style as somewhat irregular and diffuse, it is right to add, that it has many passages expressed with much feeling and eloquence.

ART. VI.—*Dialogues on Natural and Revealed Religion; with a Preliminary Enquiry, an Appendix containing Supplemental Discourses, and Notes and Illustrations.* By the Reverend ROBERT MOREHEAD, D.D. F.R.S.E. 8vo. Edinburgh: 1830.

IT has been remarked by Mr Hume, in the introduction to his *Dialogues concerning Natural Religion,* that though the ancient philosophers conveyed most of their instruction in the form of dialogue, this method of composition has been little practised in later ages, and has seldom succeeded in the hands of those who have attempted it. The justness of this observation will scarcely be doubted by any one acquainted with the philosophical literature of modern times. Nor is it difficult to discover the cause of our inferiority in a method of composition so little adapted to modern education and habits. 'Accurate and regular argument,' says Mr Hume, 'such as is now expected of philosophical enquirers, 'naturally throws a man into the methodical and didactic manner; where he can immediately, without preparation, explain 'the point at which he aims, and thence proceed, without interruption, to deduce the proofs on which it is established. To 'deliver a system in conversation,' he adds, 'scarcely appears 'natural; and while the dialogue-writer desires, by departing 'from the direct style of composition, to give a freer air to his 'performance, and avoid the appearance of author and reader, 'he is apt to run into a worse inconvenience, and convey the

'image of pedagogue and pupil. Or, if he carries on the dis-
'pute in the natural spirit of good company, by throwing in a
'variety of topics, and preserving a proper balance among the
'speakers, he often loses so much time in preparations and
'transitions, that the reader will scarcely think himself com-
'pensated by all the graces of dialogue, for the order, brevity,
'and precision which are sacrificed to them.'

But, notwithstanding these and other obvious objections, which may easily be started, to the method in question, Mr Hume is of opinion that there are some subjects to which dialogue-writing is peculiarly adapted, and where it is still preferable to the more direct and simple method of composition. Any point of doctrine which is so obvious that it scarcely admits of dispute, but at the same time so important that it cannot be too much inculcated; and, on the other hand, any question of philosophy, which is so obscure and uncertain, that human reason can reach no fixed determination with regard to it, seem, according to him, to be well fitted for interlocutory disputation, and, indeed, to lead naturally into the style of conversation. In the one case, the novelty of the manner may, in his opinion, compensate the triteness of the subject, and the vivacity of the dialogue will enforce the precept; while, in the other, reasonable men may be allowed to differ in opinion where no one can rationally pretend to be positive; and opposite sentiments, even without any decision, may afford an agreeable amusement, analogous to that which we derive from witnessing a game of skill or dexterity played by persons who are equally matched, and where it is difficult to tell beforehand to which side the advantage will ultimately incline. He accordingly congratulates himself on what he conceives the peculiar applicability of this method of composition to the subject of Natural Religion; which, in his view, unites both the circumstances or conditions above specified,—namely, 'a point of 'doctrine so obvious that it scarcely admits of dispute,' and questions of philosophy 'so obscure and uncertain, that human 'reason can reach no fixed determination with regard to them.'

But, supposing all this to be true, which is certainly a concession we are by no means inclined to make, except for the sake of argument, we are manifestly led to a conclusion very different from that here pointed at by Mr Hume. If a truth or doctrine be obvious, it neither admits of dispute, nor requires illustration; while, in regard to the other class of questions, all discussion must be vain. The utmost that reason can accomplish, in regard to any point on which it happens to be exercised, is to render it clear; but where a truth or doctrine is in its own nature obvious and certain, neither argument nor illustra-

tion can possibly be of any avail. Again, with respect to those questions which, from their inherent obscurity and uncertainty, are incapable of any determinate solution, it seems preposterous to attempt that which is declared to be impossible,—and still more to do so in a form which is scarcely compatible with methodical arrangement or logical precision: for if there be any subject in treating of which it is peculiarly incumbent on a writer to avoid all vagueness, and to arrange his topics with the strictest regard to order and sequence, it is unquestionably such an one as that mentioned by Mr Hume; where, from the difficulty and obscurity that naturally surround it, the chances of error are sufficiently great, without superadding those which arise from careless or defective statement, an unphilosophical use of language, or inconsequent reasoning.

The truth is, however, that the preference which our sceptical philosopher here evinces for the dialogue, as compared with the simpler and more direct form of composition, rests upon grounds wholly different from those which he avows, and may be traced to the peculiar nature and qualities of the interlocutory form of disputation itself. It affords facilities, and admits artifices, of which a skilful writer, more especially if he be sceptically inclined, without choosing to make any direct avowal of his unbelief, must know well how to avail himself. In dialogue, the author generally personates one of the characters, by means of which he gives expression to those sentiments and opinions he ostensibly desires to be received and considered as his own. But, supposing him really to favour doctrines adverse to those maintained by his fictitious representative, how easy a matter is it for him to throw the principal weight of argument and ingenuity into the opposite scale—to meet the formidable objection which he has artfully reared up, with a lame and impotent answer—and thus covertly to sap the foundations of the very doctrine which he professes to defend? In the character of the objector, he may say any thing or insinuate any thing—assail the very foundations of human belief—and scatter doubt and uncertainty among the elements of knowledge; while, under that of respondent, he may not only provide a plausible salvo for all this, but, by artful concessions and insidious admissions, add incalculably to its effect. Dialogue, in short, is a dangerous instrument in the hands of a dexterous sophist, who knows how to wield it, and who is cunning in all those artifices by which it may be rendered subservient to his purpose.

But while we contend that this form of composition is singularly adapted to the furtherance of sceptical objects, we must farther hold, that it is unfit to serve as a medium for com-

municating to the world sounder views and safer opinions. Much, it is true, has been said in favour of the Socratic method of disputation, transferred to written discourse; and many splendid specimens have descended to us from ancient times, of the skill with which it has been employed, not only in exposing popular errors, but also in promulgating and recommending the most important truths. But still, many powerful reasons may be urged against the adoption of this method in discoursing or treating of the truths of Natural and Revealed Religion. It is necessarily loose and discursive; sacrificing, as Mr Hume himself admits, order, brevity, and precision, to graces which are of no account or value, compared with these cardinal virtues of philosophical discussion. It is essentially controversial, and as such is but ill adapted for the discussion of matters of deep interest and importance to mankind; while the necessity of constantly adducing or supposing objections and of answering them, creates continual breaks, interruptions, and transitions—impairs the force by destroying the sequence of truth—and tends rather to perplex and confound ordinary minds than to satisfy or convince them. Lastly, it is inconclusive. The most artfully constructed dialogue imaginable is in effect little else than a series of detached discussions or arguments, each of which effaces, in some measure, the impression made by its predecessor, and thus serves to destroy that unity and connexion by means of which alone entire conviction can be produced.

For these reasons we cannot but feel some regret that the ingenious, and truly amiable and excellent author before us, should have chosen to communicate to the world, in the form of 'Dialogues,' his interesting views and illustrations of the primary truths of Natural and Revealed Religion; and we are even inclined to think that he himself has been sensible of the defects of this method; seeing he has found it necessary to state consecutively, in a Preliminary Discourse, the general principles assumed in his exposition, to which he felt that it would be impossible to give sufficient developement under the form into which his reasonings were cast. But, as his work is professedly devoted to the refutation of the sceptical doctrines broached in Mr Hume's *Dialogues concerning Natural Religion*, it was not unnatural for Dr Morehead to imagine that religion might be defended in the same form under which it had been attacked, and the resources of dialogue rendered as available in the cause of truth as of error;—a consideration which, when taken in connexion with his anxious desire to strip religion of the needless austerities with which excessive zeal has surrounded it, and to exhibit its great and consolatory truths in all their native

attraction, will probably be thought to be sufficient for vindicating the method he has pursued. We could have wished, indeed, that he had grappled more directly and closely with the sceptical fallacies of Mr Hume; but, as it is, he has our sincere thanks for so agreeable and valuable a contribution to Christian philosophy; nor can we better evince our sense of its merits, than by devoting a few of our pages to the examination of some of its leading principles and doctrines.

The primary question which the writer on Natural Religion has to solve is, *An sit Deus?* Is there a God? And there are two modes or forms in which a solution of this question may be offered: one, by reasoning from certain abstract principles assumed, and thus attempting, *a priori*, to demonstrate the necessary existence of such a Being; and the other, by reasoning *a posteriori* from final causes, or the intelligent adaptation of means to ends, discoverable in every department of nature or creation. According to the former mode, the existence of a God is necessarily involved in the very first principles and elements of knowledge, and therefore susceptible of being demonstrated without any reference whatever to final causes or external manifestations of intelligence and design: According to the latter, it is merely a deduction which experience enables us to make from certain arrangements in the economy of nature and Providence, incompatible with any other supposition than that of their having proceeded from an intelligent and governing mind. The distinction, then, between these two methods of reasoning, is obvious. If the existence of the Deity is proved to be necessary, the idea of his non-existence involves a contradiction; but if his being be only inferred from certain indications in his works, it in no respect differs from any ordinary matter of fact or belief, the reverse of which may be easily conceived, though it cannot be proved.

Speculative writers on Natural Religion, however, have of late years very generally abstained from attempting to make any use of the argument *a priori*; and Dr Morehead, although he evinces considerable partiality for this imposing method, has very judiciously followed their example. The truth is, it involves a radical fallacy, which not only renders it useless, but dangerous to the cause it is intended to support. The question as to the being of a God, is purely a question of fact: he either exists, or he does not exist. But there is an evident absurdity in pretending to demonstrate a matter of fact, or to prove it by arguments *a priori*; because nothing is demonstrable, unless the contrary implies a contradiction; and this can never be predicated of the negative of any proposition which merely affirms or asserts a matter of fact. Whatever we conceive as existent, we can also distinctly con-

ceive as non-existent; and, consequently, there is no being whose non-existence implies a contradiction, or, in other words, whose existence is *a priori* demonstrable. This must be evident to every one who knows what demonstration really means. It is a universal law, that all heavy bodies descend to the earth in a line directed towards its centre. But the contrary of this may easily be conceived, because it involves no contradiction; for bodies might have fallen *upward*, if we may so express it, as well as downward, had such been the will of the Creator. But we cannot conceive the opposite of any of the demonstrated truths of geometry—as, for example, that the three angles of a triangle should either be greater or less than two right angles—because this implies a contradiction. The distinction, therefore, between necessary or demonstrable truths and matters of fact, consists in this—that the contrary of the former involves a contradiction, whereas that of the latter does not. But there is no contradiction implied in conceiving the non-existence of the Deity; and therefore, his existence is not a necessary truth, *a priori* demonstrable.

It is said, however, that if we knew the whole essence or nature of the Deity, we should perceive it to be as impossible for him not to exist, as for twice two not to be equal to four. But, in the first place, we can never attain this knowledge, while our faculties remain in the same state as at present; and, secondly, even supposing that such an attainment were possible, it is difficult to imagine how any enlargement of our knowledge could affect the distinction which has just been pointed out, or incapacitate us for conceiving the non-existence of that which we formerly conceived as existing. Nor, indeed, does it seem possible that the mind, unless its essence and constitution be changed, can ever be subjected to the necessity of supposing any object always to remain in being, in the same way in which it is subjected to the necessity of conceiving twice two equal to four. 'Any particle of matter,' says Dr Clarke, 'may be *conceived* to 'be annihilated; and any form may be conceived to be altered. 'Such an annihilation or alteration, therefore, is not impossible.' But he contends, though we do not distinctly perceive upon what grounds, that the reverse holds with respect to the Deity, whose non-existence, according to him, is inconceivable, and therefore impossible. The tendency of his own argument, however, is to lead to the opposite conclusion. For it extends to the Deity, so far as we have any conception of him, as well as to matter; it being not more difficult for the mind to imagine him non-existent or his attributes altered, than to conceive the non-existence of a particle of matter, or an alteration of any given form. It must be some unknown, inconceivable qualities alone,

which can make his non-existence appear impossible, or his attributes unalterable.

It seems obvious, then, that the celebrated argument *a priori* proceeds upon a confusion of two things essentially distinct in their own nature; or rather, it attributes to one kind of truths the distinguishing characteristic of another: while, as Mr Hume has shown, it is as available to the Spinozist, who maintains that the material universe is the only necessarily existent being, as to him who holds that necessary existence cannot be predicated except of a supreme governing Mind or Intelligence. Indeed, none of the metaphysical subtilties, which have been pressed into the service of Natural Religion, appear to have any other tendency than to darken the subject which they have been employed to elucidate. It is not by following such paths, and groping amidst such mystery and darkness, that the truths of Natural Religion are to be discovered. In the volume of Nature, which is spread out before us for our instruction, there are written, in legible characters, which even he who runs may read, all those truths which the unenlightened reason of man can ever hope to discover, but which, in the pride of his understanding, he sometimes seeks to explore, in a region where he is certain at last to lose his way. Our author, as we have already observed, scarcely ventures into that region. Viewing his subject in a more rational and practical light, he confines himself almost exclusively to the exposition of those manifestations of design, which everywhere, in the works of Nature, force themselves upon our notice, and, by a natural and easy transition from the work to the workman, lead us directly and irresistibly to acknowledge the existence and perfections of the Deity.

The steps by which we arrive at this conclusion are simple and obvious. We are surrounded by the most indubitable evidences of design, manifested in the nicest adaptation of means to ends for the accomplishment of individual objects, as well as in the general harmony that pervades the whole system of Nature. But design implies volition and intelligence, accompanied with power. A contriver must first will or intend a scheme, before he exerts his skill and power in carrying his will or intention into effect. Volition and intelligence are unquestionable attributes of mind; and as the latter can only be exerted in obedience to, or in consequence of, the former, it follows, that all those manifestations of intelligence which we perceive in nature, are to be regarded as the result of the direct volition of the Mind from which they have proceeded. Hence it is impossible not to connect the fact of design with the existence of a designing or contriving mind; or, from the nature and tendency of that design,

to avoid drawing conclusions as to the moral attributes and character of the Being of whom it is predicated. Design is no more conceivable without a designer, than a substance without its accidents, or an effect without a cause; and if the object and tendency of that design be upon the whole, in the highest degree beneficent, the inference is equally irresistible, that it emanates from a Being who, to the highest possible intelligence, superadds the greatest possible goodness.

Dr Morehead has greatly extended the scope and compass of the argument from design. His notion is, not merely that the principle of Natural Religion is deducible from the visible works of creation, but that what are called the principles of common sense, or the fundamental laws of human belief, are coincident with, and illustrative of, this principle;—that our belief in the continuance of the laws of nature rests on a conception, accompanying the first dawn of reason, of the existence of laws, or methods of arrangement;—that the relation of cause and effect is merely a perception, or observation, of the order of nature;—that the formation of general notions is another exemplification of the same pervading principle;—that the laws of the association of ideas or thought, involve in them evidence of purpose and arrangement;—and that the same observation is applicable to what he denominates 'external perception,' by which he means the perception of external objects, through the intervention of sensation merely. These are the topics to the developement of which the 'Preliminary Inquiry' is exclusively devoted; and, as the reader will observe, they embrace a considerable number of the most important and difficult points in the Philosophy of the Human Mind. We can only at present offer a few remarks on Dr Morehead's speculations.

After some observations on design in general, which, though excellent in themselves, require no particular notice, our author proceeds to consider 'the grounds of human belief, with respect to 'future events,' or the permanency of the course of nature; and these he finally resolves into what he describes as 'the glance 'which we are enabled to obtain of the existence of laws, or 'methods of arrangement—an operation accompanying the first 'dawn of reason.' But, with submission, we think that the reverend author has here reversed the natural process of thought. For what are the laws of nature but expressions of the modes in which events occur? and how is it possible to come to the knowledge of these modes, except by continued observation and experience? From the creation of the world to the present time, the sun has continued to rise, and heavy bodies to fall: Here we have a uniform, unbroken experience of what has been the

course of nature, in both instances; and as we know of no reason why that which has so long been, should not still continue to be, our belief that the sun will rise to-morrow, as it did yesterday, is a result of that uniform experience, strengthened by the consideration of the absence of all past exceptions, or of any grounds for anticipating the occurrence of any such in future. It is merely the strongest conceivable case of probability; an inference of reason, founded upon experience. Our belief, therefore, that the sun will rise to-morrow, rests upon nearly the same grounds as our belief that physical effects will continue to follow their causes, namely, an observed, uniform succession or sequence; for it is clear that, anterior to all experience, we could neither have had any knowledge of a law, or any belief of its continuance and permanency. Indeed, our author himself seems to be of this opinion; for, a little farther on, he says, 'The instincts of man and the 'lower animals are the leading-strings by which that provident 'mother (Nature) guides the tottering steps of their inexperience 'or irrationality. What these are, it is not for us to explain; 'but it has been observed, with respect to man, that as his rea-'son opens, his instincts are withdrawn; and surely wherever 'he can form the conception of a course of nature, he is no longer 'a creature of instinct, but of reason. Then, *his experience of* '*the past is a rational foundation for his belief of the future.*' And he goes on to represent it as 'a deduction of reason,' which 'every man who is of sound mind must of necessity make.' This is precisely what we contend for.

The author's observations on cause and effect, contain little that seems to require any particular strictures on our part. In describing this relation as consisting in an invariable sequence, we wish that he had been more careful in limiting his statement to physical causes. The doctrine of Mr Hume, thus restricted, is demonstrably true, and the idea of necessary connexion utterly absurd, if not atheistical: For, if the relation between cause and effect, physically considered, were necessary in the same sense with that which subsists between twice two and four, or the demonstrated truths of geometry, then it would follow that the doctrine of Spinoza is the true one; and that all things exist, not by the will, appointment, or ordination, of a Great First Cause, but of necessity, which is obviously exclusive of, and incompatible with, a belief in the existence of a God. But when the proper limitation is made, there can be no doubt whatever of the correctness of our author's observation, 'that a regularity of sequence is an indica-'tion of purpose or design;' or, in other words, that the existing order and succession of events in the physical world, is the result of special appointment and ordination, and consequently a proof

of the being and providence of a God. Nor can the intelligent reader fail to observe that the same thing holds true of the laws of perception and association, and of the human mind generally. This our author has fully and strikingly illustrated; and there is no part of his work in which he has been more successful, or which a philosophical reader will peruse with greater pleasure and advantage.

On the subject of general ideas, we differ from him widely. His opinion is, 'that we must, in all cases, when we do generalize, have reached the general notion, and reasoned too to some extent upon it, *before* the name is applied to it.' Now, we conceive this to be exceedingly unsound. That a savage, for example, should have formed the general abstract conception of *tree*, before he had observed, or distinguished, any particular tree, is just as inconceivable as that he should have formed the idea of a law of nature, or sequence of events, without observing or distinguishing any one of the series of facts, from which alone the existence of such a law can be inferred. The abstract necessarily implies a previous knowledge of the concrete; and *multo magis* does the general conception presuppose in the mind, the particular ideas out of which it is formed. But, according to Dr Morehead's notion, the general idea of *triangle* might be formed by a man who had never observed or distinguished any one species of triangle from another; or, in other words, whose mind was totally devoid of the particular ideas of right-angled, scalene, or isosceles triangles, and consequently had no conception whatever of any such thing as a triangle. This is a species of Platonism far exceeding our powers of comprehension. Nor is this all. According to our author's view, the rudest languages ought to contain the greatest relative proportion of abstract or general terms; whereas, in point of fact, the case is notoriously the reverse; most of the dialects in use among savage tribes being altogether devoid of abstract terms, and made up exclusively of mere names or appellatives, just as might, *a priori*, have been anticipated.

As we coincide in the general strain of our author's reasonings on the subjects treated of in his 'Dialogues,' however much we may differ from him on such points of speculative philosophy as have been above alluded to, it is not our intention to enter at all into the arguments by which he encounters the sceptical fallacies of Hume. These are, in general, satisfactory and conclusive; while the benignant spirit of charity in which they are developed, and the anxiety evinced by the author to present the truths of religion in an amiable and attractive form, show that his heart is as deeply imbued with a sense of their importance,

as his mind is stored with the learning and philosophy, which ought ever to adorn the profession of teacher of Christianity. This work, indeed, is truly that of a mind purified and refined by the holiest influences of genuine benevolence, as well as adorned with those accomplishments which add to the dignity, no less than to the usefulness, of a Christian pastor. And had Nathaniel himself, the very type of meekness, written on the subjects which have occupied the pen of Dr Morehead, he could not have imbued his composition with a more benign spirit than that which breathes throughout the whole of this performance, nor evinced a more earnest desire to inculcate the great doctrine of peace on earth and good-will to men.

ART. VII.—1. *The Youth and Manhood of Cyril Thornton.* 3 vols. Edinburgh: 1827.

2. *The Chelsea Pensioners,* by the Author of 'The Subaltern.' 3 vols. London: 1829.

3. *Tales of Military Life,* by the Author of 'The Military Sketch Book.' 3 vols. London: 1829.

4. *Stories of Waterloo.* 3 vols. London: 1829.

5. *The Night-Watch, or Tales of the Sea.* 2 vols. London: 1829.

6. *Sailors and Saints,* by the Authors of 'The Naval Sketch Book.' Second Edition, 3 vols. London: 1829.

7. *Tales of a Tar,* by one of the Authors of 'The Naval Sketch Book.' London: 1830.

8. *The Naval Officer.* 3 vols. London: 1829.

9. *The King's Own,* by the Author of 'The Naval Officer.' 3 vols. London: 1830.

THIS is truly a novel-writing age! Here are twenty-four volumes before us, and yet they are merely a selection from only one of the many classes into which novels of the present day may be divided. We have novels historical, political, fashionable, religious; novels descriptive of Turks, Persians, Hindoos; of English in Italy and in France; Hungarian Tales, Tales of the Colonies, Tales by Physicians and Briefless Barristers; and though last, not least in our catalogue, Tales of Military and Naval Life. Persons of all ranks and professions, who feel that they can wield a pen successfully, now strive to embody the fruits of their observations in a work of fiction. One man makes a novel the vehicle for philosophical or political discus-

sion; employing the light fictitious garb to buoy up in the stream of public favour the heavy matter which would sink without it. Another smuggles in, under a similar disguise, a book of travels; or, as in the case of two recent travellers in Turkey, first sends forth the record of his tour, and then a novel by way of a corollary. The officer who has witnessed many 'moving accidents by flood and field,' instead of compiling the authentic history of a campaign, which would draw upon him the heavy responsibilities of an historian, or announcing the recital of his life and services, which might be thought to savour of egotism or presumption—instead of pursuing these difficult courses, he now plans a story, makes its hero the spectator of scenes in which he has himself been engaged, and presses into it all the best gleanings of a past eventful life which his memory will supply; and then, having performed this comparatively easy task, he sends forth his anonymous production with the full assurance that it has a chance of being read and admired by many more than would ever cast a glance at any unvarnished statement of facts, which he might have composed with double labour and tenfold responsibility.

The prevalence of novel-writing is not to be wondered at. It has been discovered that the novel is a very flexible and comprehensive form of composition, applicable to many purposes, and capable of combining much information with amusement. There is scarcely any subject not either repulsive or of a very abstruse nature, which must of necessity be excluded from it; and though we are not inclined to advocate the practice of making fiction a vehicle for didactic purposes, we should be unwilling to say that any interesting topic might not be so treated as to gain by the alliance. But though the novel may be rendered subservient to the promulgation of speculative opinions, it may be still more agreeably and usefully employed in becoming a receptacle for those circumstances upon which our speculative opinions should be founded. Though in form fictitious, it may be the treasurer of truths—not the truths that are stranger than fiction—not the startling anomalous occurrences that baffle the expectations of the wisest, and which, as guides, are comparatively useless, but such as coincide with the observations of the many, on which we may reason analogically, and which form the average mass in the general course of human experience. These the novelist may advantageously collect and embody, and though his work be fictitious, yet may it have contributed more to the advancement of truth and those sound sentiments which result from its contemplation, than many writings which pretend to the most scrupulous matter-of-fact fidelity. Per-

sons who consider truth and fiction as placed in irreconcilable opposition, and are unaccustomed to comprehend words in more senses than one, will probably exclaim against what might to them seem paradoxical in the foregoing remarks. But we would remind them that truths may be considered as either special or general; the former consisting of isolated facts, some of which may be irreconcilable with any established rule, and contrary to the previous experience of all living individuals; the latter, such as *are* reconcilable with established rules and the experience of mankind. It may be true, for instance, that A B is actually living, and false that the hero of the novel before us ever existed; but there may be circumstances in the life of A B so contrary to all previous experience, that they will be *abstractedly* less true than the imaginary adventures of the fictitious personage in the novel. A traveller may accurately describe circumstances which fell under his observation, which, nevertheless, though related with the utmost fidelity, will convey a decidedly false impression of the general habits and feelings of the people among whom they occurred; while the novelist may, without stating exactly a single fact which has actually occurred, so mould his fictitious narrative, that the impression which we derive from it shall be perfectly correct. Thus, fiction may not only be made the handmaid of truth, but may be enabled sometimes to perform its didactic duties even better than truth itself.

If such be the case, it may, perhaps, be asked whether this coalition would not be strengthened—whether fiction would not become more effective by admitting, not merely exemplifications of general principles, but accurate descriptions of events which have really occurred. We incline to the negative. That fiction cannot be rendered more effective by such introductions, would be a bold assertion; but it would be also too much to say, that it has ever risen by their aid to a height which it would not have reached without them. The 'Waverley Novels' afford no proof of the contrary. We admire them because they breathe the spirit of history, and not because they contain its names, and occasionally its facts. Their most admirable passages are assuredly not those which contain the description of any event which has actually occurred; nor are the best drawn characters those who have previously appeared in the pages of Robertson or Hume. The Waverley Novels have been sometimes talked of

their merit principally consisted in the dexterous introduc-
f real personages and real events, and certain imitators ap-
to have acted upon this persuasion. To such persons, Guy
ering, the Antiquary, and the Bride of Lammermoor, which
in no historical characters, must have seemed comparatively

worthless. No—if the Waverley Novels prove any thing on this point, they rather tend to show that the mixture of real with fictitious personages and incidents, does not render a story more effective. There are few real events in those admirable tales, wherein accuracy is at all preserved, which do not embarrass the march of the narrative. Then, how valueless, in an historical point of view, are the delineations of many characters who really lived, compared with those of some who never existed, but in the creative mind of the author! What is Charles Edward, weighed against the Baron of Bradwardine, or Fergus M'Ivor, or the gifted Gilfillan? Mause Headrigg and Habakkuk Mucklewrath convey to us a more distinct impression of the feeling of their times, than Claverhouse and Lauderdale; and Jeanie Deans, and her father, Davie, are worth a thousand of such characters as Queen Caroline and the Duke of Argyle. It is by his able personification of the feelings and habits of the times, collected from various scattered sources, and which what is commonly called history has too often neglected to convey, that the author of Waverley has gained his pre-eminence among writers of fiction, and rendered himself the creator of historical romance, and not by having filled his pages with the names and incidents of Chronicles and Gazettes.

But if the introduction of real incidents cannot increase the interest and beauty of a fictitious tale, such incidents may, nevertheless, if rightly understood, become admirable correctives. They may be applied, like the spear of Ithuriel, to detect the falsehood and inconsistency of the distorted images with which they are compelled to associate. Though dangerous when treated as ornaments, they are invaluable as tests. If they have not destroyed the interest of the Waverley Novels, it is because there is a sufficiency of intrinsic abstract truth in the fictitious parts to bear the vicinity without danger. But woe to the novelist who scatters his real events amidst a tissue of vague improbabilities, and gives real names to lifeless, characterless, and unnatural puppets! His inconsistencies will appear more glaring, and falsehood be only more ridiculous and offensive, by its obtrusive connexion with truth. The fictitious person, who is not represented as having played a part in any well-known public event, is viewed with a comparatively indulgent eye; but if we are told that he has fought at Agincourt or at Waterloo (and the case is ever strongest where the event is most recent), we have a right to expect that he shall be delineated almost as by the hand of a biographer, and that every part of his conduct shall be probable and consistent. Yet there are many who write as if the reverse of this were true—as if there was a magic in histo-

rical names and circumstances which should cover all improbabilities and distortions, and be able alone to press conviction on the mind of the reader;—as if we ought to receive with thankfulness the bushel of chaff, because a few grains of *fact* are to be found amongst it.

These observations are strictly applicable to most of the works now before us, which are, in reality, as much historical novels as any which assume that title: there is only this difference—that they introduce public events of comparatively recent date, instead of leading us back to the sixteenth or seventeenth century. Though written by several authors, and, of course, exhibiting many differences of style, they have not a few characteristics in common. They are composed, for the most part, with ease and freedom; their style is seldom ambitiously elaborated, and is rendered pleasant by its ready conversational flow, and unaffected picturesqueness. Their authors, generally, have not been successful in the conduct of their plots. They seem to have strung together such adventures as their experience would enable them to describe with the happiest effect, and frequently allow the novelist almost to disappear in the biographer and the tourist. Some of them would evidently have succeeded better in the latter capacities; and have probably been tempted by the fascinating capabilities of the novel, more than by any consciousness of skill, to embody the fruits of their professional experience in a composition of this form. They afford a good deal of new information, which can scarcely be found anywhere else. They admit us to the interior of a soldier's or sailor's life, telling us much that history will not condescend to notice, and which we had rather know than a great part of that which it tells. They also render us better acquainted (and herein is an advantage) with the dreadful realities of war, and its appalling train of concomitant miseries, and dissipate the delusive halo by which those who view it from a distance are dazzled and deceived. They take, like Sterne, 'a single captive,' or a single wounded soldier, and we are more affected by the simple tale of his individual sufferings than by the high-sounding recital of the fall of thousands.

'Cyril Thornton,' the oldest in date of the novels before us, is written, we believe, by Captain Hamilton. It has been published three years, a considerable period in the existence of a novel; and we should not have noticed it now, if we had not thought that it deserved to be remembered much longer. It is one of the best of its class. The style is flowing and nervous, and tolerably correct; the descriptions are graphic, sometimes powerful; the characters for the most part ably drawn. It never falls below mediocrity, and frequently rises considerably

above it; and though there is no particular skill shown in the arrangement and developement of the story, it is throughout very interesting. It describes the adventures of a younger son of an English country gentleman, who, having accidentally shot his elder brother, is hated by his father, disinherited, and forced to enter a profession. He chooses the army; and then follows an interesting relation of his military adventures. His first station is Halifax, in Nova Scotia. He afterwards visits, with his regiment, Bermuda and Teneriffe, and is at length stationed at Gibraltar. The yellow fever breaks out there, and we have the following powerful description of its appearance and ravages:—

'It came unknown and in silence; nor was it till many of the inhabitants had fallen its victims, that the medical officers of the garrison became aware of its approach. Every measure of safety or precaution was instantly resorted to, but in vain. Its progress would not be arrested, and the unshackled pestilence spread through the narrow streets, and crowded houses, like a destroying angel, conquering and to conquer.

'It is impossible to conceive a spot better fitted for the dissemination of infectious disease than Gibraltar. Had the town been doubled in extent, it could scarcely have afforded sufficient accommodation to the numbers which were even then crowded within its narrow limits. The rent demanded for the smallest house in Gibraltar equalled that of a splendid mansion in London. The consequence, of course, was, that a domicile which could afford comfortable accommodation for one family, became the residence of many; nor was it an uncommon circumstance that fifty, or even a hundred individuals, were congregated beneath a single roof. The great proportion of these were foreigners; and, when we consider how little attention was necessarily paid to cleanliness in such dwellings, the unhealthy atmosphere in which their inmates were condemned to live and breathe, we shall not feel surprised that all human endeavours to arrest the progress of the pestilence were in vain.

'I had been in such houses. In an apartment scarcely the size of an ordinary English bedroom, I had beheld the accommodation of twenty human beings, where, stretched upon a mat or carpet, they every night, even in the hottest season, retired to rest. In such *hives* of men, when fever once appeared, it, of course, spread like wildfire; there the arm of death was raised to strike—Who could prevent its falling?

'Weeks passed, and the fever-demon continued to stalk onward in his course, nor would stay his step even for a moment. The disease spread on all hands. The Lazzarettos were filled, and the number of deaths increased till it exceeded an hundred a-day. Our regiment were stationed in the town; but no time was lost in removing us from the focus of infection, and we went into camp on a very elevated part of the hill, which gave promise of exemption from the disease raging below, in the healthy freshness of its atmosphere.

'Had it been possible, indeed, to cut off all communication with the town, it is probable this promise might have been fulfilled. But the mi-

litary duty of the place required the presence of soldiers, and it was necessary that every day a certain proportion should descend into what might almost, without poetical figure, be called "the Valley of the Shadow of Death."

'Under such circumstances, it was scarcely to be expected that we should pass through the arrowy shower safe and unstricken; several of the soldiers caught the infection, and there was fever in the camp. The disease, whose ravages till then we had regarded with a sort of disinterested compassion, now came home to the business and bosoms of us all, and brought with it a sense of helplessness and depression, even now painful to remember. Men, who have since proved themselves incapable of shrinking from death in the field, shook with the terrors of this new and terrible assailant, and would gladly have fled from a contest, which cost the vanquished life, but brought no honour to the victor.'

'There are melancholy associations connected with this portion of my narrative, from which I would gladly escape. I am unwilling, too, to attempt a description of scenes, to which, though indelibly imprinted on my memory, I could do little justice in words, and which have already given full scope to the powers and genius of writers, with whom I would not willingly be weighed in the balance: yet to pass them wholly by is impossible.

'Deep gloom hung on us all. Melancholy was the daily meeting at the mess; for we had only to recount the still advancing progress of the pestilence, or the name of some companion who since yesterday had fallen its victim. But worse than all was it, when called by duty to descend into the town;—to see the streets desolate and deserted,—to hear, as we passed the closed dwellings, the loud and terrible shrieks of some delirious sufferer within;—and then the horn that gave signal of the approach of the dead-cart, as it slowly rolled onward in its dismal circuit! Never has its wild dissonance passed from my ear—never, I believe, shall it utterly pass away, and be forgotten.'

We have next a spirited account of the capture of a French privateer, during which a friend of the hero is killed. Then we enter upon the eventful history of the Peninsular war, and are presented with able sketches of the battles of Roleia, Busaco, and Albuera, in the former of which Cyril Thornton is taken prisoner. He is liberated at the Convention of Cintra, is again taken prisoner in the subsequent campaign, carried to Madrid, escapes from thence in the disguise of a muleteer, and returns to England. Meanwhile, his father has married again. Cyril arrives at his former home, and the altered appearance of the place, and still more of his father, whom he had not seen for seven years, is vividly and affectingly described. The father dies, leaving almost his whole fortune to his second wife and her infant son. Cyril proceeds to contest the will; but, before the cause is tried, his infant brother dies, and Mrs Thornton consents to a compromise, which puts our hero in possession of the paternal estate.

We must not forget the love tale which is interwoven with this story. Cyril became attached to the only daughter of an earl, his distant relative, and his attachment was returned. Though prudence forbade them to avow it, they parted with mutual protestations of constancy; and he returned to Spain, where he lost an arm. For some time he received no tidings from her who had professed to return his attachment; and though, at last, a tardy letter did arrive, expressing a respectable portion of sympathy, yet, maimed and disfigured, the shadow of his former self, he determined to resign her. He wrote to her to that effect; met her in England, was not recognised, and soon heard that she was married to another. The blow was doubtless a severe one; but we wish the author had not made his hero run out bare-headed into the snow, and throw himself down to perish. Some soft-hearted readers may, perhaps, think that a man cannot feel too acutely on such an occasion, or express his feelings in too marked a manner; but we question if the sympathy of the most right-minded portion is to be more effectually conciliated by making the disappointed suitor exhibit the demeanour of a madman. In other instances, the author, perhaps wishing to avoid the customary partiality of novel-writers, uses his hero rather ill. Why, in the first volume, does he make him a seducer? The whole of that painful and disagreeable episode might well be spared. Why, in his first visit at Lord Amersham's, is he made so improbably ridiculous? We think the author is a little too partial to circumstances which must jar unpleasantly upon the feelings of all who are accustomed to contemplate with reverence and delight some of the dearest ties by which human beings are bound to each other. We have in this one tale a youth perishing by the hand of his brother, a father unrelentingly hostile to his son, and a wife driven mad by the persecutions of a husband. It may be said, too, that we do not want the super-addition of so much domestic tragedy in a work which exhibits in such vivid colours so many of the horrors of war.

The author is very successful as a delineator of character. His old Scotch merchant, David Spreull, is worthy of a place in any novel of the last twenty years. The other characters are inferior to this, but cleverly handled nevertheless. His Lady Melicent is perhaps not very consistently drawn; rather too amiable and disinterested at one period to be so heartless at another; but on this point we give him up to be dealt with by his female readers; and if they acquit him, we shall gladly ratify their verdict.

'The Chelsea Pensioners,' by the author of 'The Subaltern,'

(the Rev. Mr Gleig, formerly an officer in the army,) is a pleasing collection of tales, connected by a framework which gives its title to the book. If a work is good, perhaps it little signifies what is its title; but we may nevertheless observe, that this has one of the worst faults a title can have—that of conveying a false impression of the nature of the contents. Who would imagine that a book so named had nothing to do with Chelsea pensioners? The tales are supposed to be related by a club of retired officers, who have agreed to live together, and call their joint domicile 'Little Chelsea.' This establishment, with the members who compose it, is pleasingly described, and with much of that *curiosa felicitas* which eminently distinguishes the style of Washington Irving. Indeed, the style throughout is entitled to praise; and is evidently that of a man of literary accomplishment. The work is also highly commendable for the good taste and good feeling which it displays. Natural scenery is picturesquely and vividly set before us; and events are clearly narrated. Characters are touched with less ability; and the author shows no indication of any thing like dramatic talent. The tales are six in number, of which three narrate, with great skill, some of the events of the American war. From one of the others, entitled 'Maida,' we will extract the account of that battle, as a specimen of the author's powers of description.

'And now the word was given to advance. In a cool and deliberate manner, such as would have disgraced no parade-ground in England, the front line obeyed, the second with the reserve remaining with equal steadiness where they were, till the proposed interval had been made good. Then they also, one after the other, stepped forward, and the scene became as deeply and strikingly picturesque as it is possible for the human imagination to conceive. Nor did it obtain this character altogether from the warlike adjuncts, so to speak, thrown around it. Occurrences took place on that occasion which are very rarely to be met with, except, if we may believe our Transatlantic warriors, on the fields of India; but which, let them happen where they will, certainly heighten in no ordinary degree the interest of a battle field.

'I told you some time ago, that the valley of St Euphemia was in a state of high cultivation, large portions of it being laid out in cornfields. This being the season of autumn, numerous groups of reapers were scattered over them, who, instead of flying to the mountains, as might have been expected, laid down their sickles and became spectators of the strife. Our first line passed more than one of such groups, the individuals among which waved their hats, and cheered us loudly, each communicating all the information which he possessed, as to the numbers and designs of the enemy. But no great while elapsed ere intelligence on these heads, more to be relied upon than the reports of the country people, came upon us. As the enemy were in movement equally with ourselves, and the distance

which originally divided us fell short of four miles, every instant brought the hostile lines nearer and nearer to each other; so that in about half an hour after the simultaneous advance began, we were fairly in presence.

'You can conceive nothing more imposing, nothing more animating, yet terrific, than the gradual approach of these armies. For some time after they crossed the river, the French were totally concealed from us, the plain being perfectly level, and covered with standing corn. Something less than a mile may have divided us, when the glitter of their bayonets began to appear. This was eagerly pointed out to us by the country people; but our men, having been cautioned to maintain a profound silence, seemed to pay no heed to it, marching forward in steady array, as if at a review. Now the tops of their caps began to rise above the corn-stalks; now the tread of feet and heavy roll of artillery were heard; and now a gun was fired. It was from the enemy, but did no execution. Still the battle may be said to have commenced; for from that moment the discharge of their field-pieces was incessant.

'In the meanwhile, the opposing lines drew at every pace nearer and nearer, till at last each was enabled to command a full and perfect view of the other. The French came on with every show of confidence, to which, indeed, their preponderating numbers were well calculated to give birth, whilst our people pressed forward to meet them, not a whit more doubtful as to the result. And now our artillery began to open, with an effect which contrasted strongly with that produced by the enemy's cannonade. In general, the French gunners are excellent; they have given us ample reason for allowing this, and we have never denied it; but to-day their fire was as worthless as ever came from the merest recruits. Not one shot out of fifty took effect; almost all passing over our front line, and falling short of the second. It was not so with our pieces. Every shot told, and grape, shrapnel, and canister, swept away whole sections from the ranks that received it. You all know the effect which is produced upon an infantry line, when it witnesses the able practice of its own artillery. As each file of Frenchmen fell, our brave fellows raised a shout of cruel, perhaps, but allowable triumph; and loud and frequent were the plaudits bestowed upon the gallant blue coats, who so ably supported them. Nor was this the only circumstance from which our regiments, especially such as had hitherto seen no service, began to draw the most favourable auguries. It was observed that the French marched but indifferently; that they preserved an exceedingly irregular line, and straggled and waved from side to side, as often as some trifling obstacle came in their way; from all which, our recruits deduced the natural conclusion, that they themselves were far better drilled, and therefore more perfect soldiers than the enemy. But events were assuming at every instant a more decisive turn. The lines were rapidly approximating; and not artillery only, but musketry, and the bayonet, seemed on the eve of being brought into play.

'The centres of the British and French armies might have been about two hundred and fifty yards apart, when the first musketry fire which had yet been heard, rose upon the right. It was a desultory tiraillade, the skirmishers there having fallen in, and exchanging, as is their custom, long and uncertain shots. But the enemy seemed to treat it as a signal

for general action. All at once they halted, closed in their ranks, and, after a moment's apparent hesitation, fired a volley. This we received without returning it, till we had reduced the intervening space to little more than a hundred and fifty yards, when we also halted, and our people poured in a regular and well-directed volley. Without a moment's pause they reloaded, the enemy keeping up all the while an incessant rattle, and, with the same coolness which marked their previous salute, repeated it. In the whole course of my military career, I never witnessed any thing more murderous than these discharges. Whilst on our side very few men had fallen, the clearing away of the smoke exhibited the French line torn, as it were, into fragments; huge gaps staring us in the face, and the whole of the ground covered with killed and wounded. A loud shout gave testimony that the effect of their practice was not lost upon the British soldiers. Instead of repeating their fire, they brought their muskets to the charge, and at double-quick time rushed on.

'The French are a brave people, and it is well known that from the charge of no nation besides our own have they ever recoiled; but the flashing of a British bayonet is a sight upon which, even thus early in the war, they had not learned to look with indifference. For a moment or two it seemed as if they would have stood the shock; they even cheered, or rather hallooed, after their own discordant fashion, and remained steady; but long before the collision took place, their courage failed them. They faced to the right about, as if by word of command, and ran, though still preserving their line, to the rear. It is but justice to declare, that no set of officers could have exerted themselves more strenuously to check this not disorderly flight. They hurried from post to post, waved their swords over their head, shouted, seized their men by the collar, and at last, when the second line was seen advancing to their support, succeeded in checking them. The enemy halted, wheeled round, and once more opened their fire. Nor did we immediately close upon them. Our own men were out of breath, though still as ardent as ever; and we commanded them to halt, not because they appeared reluctant to go on, but that they might recover their wind. This, however, was soon done; the little gaps in the line were filled up, and again, firing as we proceeded, we pushed against the double line of the enemy. Again was our threatened charge completely successful. Having waited to receive our final volley, the French gave way, and fled, this time, in awful confusion.'

The 'Tales of Military Life,' (written, we believe, by Mr Maginn,) have at least the merit of being tolerably interesting. The first and longest includes several important real occurrences;—among them Emmet's insurrection in 1803, and the principal events of Sir John Moore's retreat. In strange and awkward juxtaposition with facts, is a tissue of such wild and romantic improbabilities, that the true part of the narrative is entirely overborne and counteracted by the fictitious; and we cannot read the tale with that temporary feeling of conviction which a good novel ought always to produce. To this may be

added, that the characters are not drawn with much attention to nature. The story, though improbable, is, nevertheless, constructed with more ingenuity and attention to effect than in the generality of these military and naval fictions. The style is nowhere very commendable, and in many places bad. Several puns are inserted, which it would have been scarcely excusable to have uttered in careless conversation. The most effective passage is the description of the preliminaries to a midnight murder; but the merit of telling such tales well is not one of which the novelist should be most ambitious.

The tales which come before us under the high-sounding title of 'Stories of Waterloo,' are written in a bold, soldierlike style; free and energetic; rather too boisterous in their humour, and too sentimental in their seriousness; but well calculated to amuse an idle hour, when they fall into the hands of a 'courteous 'reader,' whose critical faculties are not too acute. We have here another instance of a deceptive title. These 'Stories of Water-'loo' have almost as little to do with that battle as Mr Gleig's with the Hospital at Chelsea. They are so called, only because the author has contrived to put them in the mouths of persons who are supposed to have been there, and to fill up the intervals with a history of the campaign. Two of the collection are introduced as found by some of the aforesaid persons among the effects of two dead men—one a shipwrecked seaman, the other a colonel in the French army, who turns out to be an Irishman in disguise. We had hoped that the improbable device of making persons travel about with written records of their lives and adventures, had been too stale for further repetition; but we have here two such incidents in a book which gives you a very circumstantial account of events which really occurred about fifteen years ago. Reality and romance will not fall easily into that close coalition into which the author has endeavoured to force them. We are not very sure that, under any circumstances, we could any longer relish a romantic tale of the Radcliffe school, with its gloomy towers, and mysterious monks, and ruthless banditti, and fiendlike but fascinating Marchesas, and its well-known mummeries, even when shrouded under that awful obscurity of time and place which adds so greatly to the effect; but when a Captain M'Carthy, of the —th Regiment of Dragoons, mounting piquet guard on the night of the 17th of June, 1815, proceeds to relate to the companion of his watch a long story of this kind, full of improbable adventures, many of which, he would fain persuade us, happened to himself, we smile at such an attempt to win our belief, and feel that reality and fiction clash much too violently. The stories themselves are entertaining. Of the serious ones, we

prefer 'Stephen Purcel;' of the humorous, 'The Tall Major's 'Story,'—each good in its way. There are many descriptions spiritedly touched; and what may be called the historical parts are not ill done.

'The Night-Watch' contains much both of grave and gay, each treated with equal spirit. It comprises the adventures of a naval captain, a master, a boatswain, a doctor (as he is called) of a man-of-war, and a prisoner of war in France. None of these adventures exhibits any thing like a connected story. They consist rather of incidents loosely arranged, which may be supposed to have happened to each individual. We will give an extract from the Boatswain's story, told by himself in nautical phraseology, descriptive of the close of the luckless expedition against New Orleans.

'"Greater preparations were made, but as we lost time the Yankees gained strength. But you are no *soger*, Gunner,—stand facing me with your arms stretched out. The broad river is running like a sluice past the end of your right-hand towards mine, as I am holding it out; on the other side of the river is a battery, pointing towards your nose, which nose is the centre of the Yankee lines. Your left-hand is a swampy wood, thicker and more tangled than a jungle, and not less fordable than the river, with the battery at the edge, from which a canal runs athwart to the river. Behind this canal is a strong earthen fence, stuffed, as they said, with cotton-bags, behind which lay the Nathans.

'"My arms are the English lines; they are not so long or strong as yours, and we are just out of shot of each other. Near my right-hand are some batteries we threw up with casks of sugar, which we got at readier than sand, though they are no great shakes in rainy weather.

'"A good way behind my left-hand is a canal we cut from the creek to the river, for the boats to go through.

'"Well, Gunner, behold us, the night before the battle, in front of each other: the Jonathans' bands playing Yankee Doodle; and ours, God save the King! Well, I say, follow me to mud-larking, and rousing the boats through the slush into the river, all night long. Now jump aboard the boats at daylight, with a party of sogers and marines, land them on the other side, pull up along-shore—see the battery taken by storm—look at a rocket flying in the air—then mark the flashes glimmering along the line—now hear the rolling sounds of the musketry, and rumbling of the cannon;—lay on your oars, Wad—strain your eyes—think the *sogers* have gained the Yankee lines, and you will think as I did. Look, now, at a small dispatch-boat slashing towards us; hear the officer say, 'Embark the troops!' and you will measure the length of our mugs.

'"Back we came, save those who were killed in taking the battery. It was all up: the troops withdrew to their lines, cut up at a precious rate. They advanced like heroes to the ditch, few got farther, and many were left there. The Nathans, snug behind their fence, worked eyelet-holes in them at every crack, till they fell back.

'"Oh, they say it was a gallant sight to view the brave Generals, who

saw the day was going wrong, galloping in front with their hats off, rallying their men; but it was sorrowful to see them fall, without being able to send a shot through the fence among their destroyers. It was the fortune of war, Wad; but the worst of all was to come—to get the poor mangled souls back to the ships, down those infernal creeks, and in such weather.

'"But, hark ye, Wad," (the Boatswain here stood still, his heart was full)—"hark ye, Gunner!" again he said, and turning his head to the moon, as a dark cloud shot over it,—"poor Tom Smith, the sharer of my sprees, my messmate, my shipmate for years past,—Tom, who never shrank from his duty,—Tom, who halved his last dollar with me,—Tom lies at the bottom of the lake!

'"He was shot in seven places, in the advance to storm the fort, and his right-leg was terribly mangled by grape-shot.

'"We had four wounded men besides himself in the stern-sheets of our boat, and had got into the broad part of the lake, on our way towards the fleet by nightfall; but none of the small craft stationed to receive the boats were in sight, as the weather was thick and misty. Presently the fog was blown away by a strong breeze, which, before the first watch was over, freshened into a gale right in our teeth, accompanied by drifting rain; soon we were wet and weary, and began to lag at our oars; not freshened, you may be sure, Wad, by the groaning of the poor wounded fellows near us, lying flat on their backs, and covered over with a drenched sail.

'"We were at last compelled to pull towards the swampy shores for smooth water, and there let go our grapnel.

'"None of us were in a humour for talk; and as the boat jerked in the short seas, throwing the spray over her bows, we sat silent, cold, cramped, and wet, watching for daylight. I never went through such a night in all my born days, Gunner.

'"I sat aft, close by Tom Smith; he did not speak. We heard nothing but the sweep and rustle of the waves, and the plash, plash, plash, of the big drops of rain that now fell on and about us.

'"The middle watch came: Smith groaned heavily. 'Give me your hand,' said he, and he raised himself on his wounded arm; 'Tom,' said he again, 'be kind to my poor mother; give her my pay and my watch—here, here, here—bid—bid—bid—God bless her!' He then sank on the plank, and his cold and wet hand fell away from mine.

'"Daylight came; the boat shipped so much water that one man was kept constantly baling. Tom Smith was dead. The young officer, noble fellow as he was, looked at him. 'Poor soul!' said he, 'he's gone! we must bury him,—prepare a few double-headed shots. Stand up, men—pull off your hats;' and, as the rain and wind whistled wild about our heads in this dark and dreary morning, he said, 'Commit his body to the deep; God be merciful to his soul!'

'"Oh, Gunner! had you seen the look of agony of the poor limbless souls that lay next to him, when the corpse was plunged into the water, you would never have forgotten it!"'

There are two or three good comic scenes in these volumes,

a great deal of excellent advice from a captain, and some very well-executed descriptions.

'"Sailors and Saints' is, as we are informed by the preface, the joint production of a Naval Officer and a Templar, of whom the former is Captain Glasscock, author of the 'Naval Sketch 'Book.' We never met with a work which savoured more strongly of the sea. The language, habits, and feelings of the sailor, are delineated with a spirit which shows that the author heartily sympathizes with the beings he describes. Their recklessness, humour, bravery, superstition, and contempt and ignorance of every thing on shore, are all dexterously pourtrayed; and the whole forms a picture from which we conceive that a landsman might learn as much of what is passing afloat, as from any book which has yet appeared. It is, however, in many parts so very professional, as to be scarcely intelligible to any but a naval reader. The characters are, with few exceptions, either nonentities or caricatures—two of them especially very disgusting ones—we mean Senna and Mrs Crank. Captain Staunch, and Brace the boatswain, are consistently and pleasingly drawn—Buxton, the hero, is like the generality of novel heroes, not the most interesting character in the book. The most amusing, though overdrawn, are Crank and his man Tiller—which remind us a little of Trunnion and Pipes. Perhaps one of the best scenes between them, is where the former dictates a codicil to his will, employing the latter as an amanuensis.

'"Now, Thomas," said Crank, "you must first write at the bottom—'I hereby add this codicil.'"

'"This *what*, sir?" interrogated Tiller.

'"Co-di-cil," said Crank, syllabically.

'"I axes your pardon, sir—I doesn't think I can come that ere;—for, you see, it's unpossible to spell properly when a body's a bad pen."

'"Oh, never mind, Thomas. It's no time to be nice now. Come as near the mark as you can."

'Consoled at this hint, the secretary took fresh courage, and proceeded to indite as his master thus slowly dictated.

'"*To Thomas Tiller my old coxon, and faithful servant, who lost an i,*"—(eye.)

'"Must that be *in*, sir?" asked Tiller.

'"Why, yes, Thomas,—I don't see we can well leave it out.—It would spoil what I have in my head," said Crank, endeavouring to remove Tiller's reluctance to have his misfortune recorded in a document of this nature.

'"Very well, sir, as you please."—

'"*Lost an i in his Magistee's sarvis, and a master in won of his most devout officers*"—

'Here Thomas gave indisputable indications of feelings, which, how-

ever highly honourable to himself, excessively surprised his master, who exclaimed—

'"Why, Thomas!—what, are you blubbering? We must all come to this!—Come, come, man, swab the spray off your bows."

'"Natur's natur, sir," said Thomas, wiping, with the lapel of his jacket, the trickling tear from his weather-beaten cheek; "tho' I'm sartin the death o' the old woman herself would never a brought me to this. But never mind, sir—here's strike out again—I'll do my duty, tho' I'd rather almost swallow a marlinspike nor handle a pen in the bisness."

'"Let's see, what were the last words you got down?" said the veteran, endeavouring to raise himself up in his cot to look over his amanuensis.

'"Devout officers, sir."

'"No, no—de-vo-ted—not *devout*, Thomas,—I never was a psalm-singer, thank God! But go on—"

'"*De-vo-ted officers, I leave all my shirts.*"

'"I'll not have 'em, sir," said Tiller, bursting out in an ebullition of affectionate feeling. "I never could abide to look on 'em, much more put 'em on my back."

'"Go on, I tell you," said Crank, authoritatively.

'"*Stockings, and particklur all my long West Ingee white-duck trousers, laid up in ornry, in dravr mummer 3.*"

'"I knows, sir—"

'"Don't interrupt me, man!"

'"*Thomas havin a seaman's jection to ware short breeks, or bend long togs.*"

'"I'll put that down willinly, sir—but what's to be done with the *Boyne?*"

'"Why, Thomas, I've made up my mind at last—so write," said Crank, slowly dictating.

'"*I wish the Boyne to be dismantled—her masts, yards, and riggin distried, and her hull berried with mine.*"

'Here Tiller gave a groan, which startled the afflicted testator.'

There are several other humorous scenes, some of which are worthy of Smollett. Among the serious parts chiefly deserving notice, is a good description of an engagement with an American brig, and one still better of a fire at sea. Superstition is one of the prominent characteristics of seamen, and it is right to exhibit this feature of their character in a work which professes to depict them. But why does Captain Glasscock not only describe, but defend, their superstitions? It is surely unnecessary that he should *seem* to believe that a ship was burnt at sea, because she sailed on a Friday, and deliberately commit to paper such observations as the following:—

'Far be it from us, in this age of philosophical anchor-smiths, and geometrical toll-gate keepers, to defend prognostications which accord so little with the enlarged spirit of the times. But the remark is too trite, that "we are creatures of circumstances"—and it is too much to expect

that men who have been ambitiously nursed in principles which have raised this country to an envied eminence amongst nations, are to be whisked about by every wind of newfangled doctrine. As well might the leopard be expected to change his spots, or the hyena his indomitable spirit, as the legitimate sons of the ocean strike their flag to philosophy; and admit themselves in error upon a point settled by the experience of seagoing folk for centuries past. Certain it is, this prejudice, if prejudice it be, is a hydra of many heads; and is felt in the most ordinary occurrences, on shore as well as afloat. Nor would it, perhaps, be desirable in this, any more than in other instances of popular predilection, that the bias of the uninformed mind to fatalism should be rashly invaded; which, in the British seaman, as well as the Mahomedan soldier, is so often the only rallying cry of heroic devotedness, and patriotic desperation.'

We hope the author does not mean that British seamen owe their bravery to blind fatalism and degrading superstition. He is mistaken if he believes that the Mahomedan soldier derives his 'devotedness' and 'desperation' from fatalism alone. The Mahomedan is a religious enthusiast; and this, if we may judge from the tenor of the book, is the last kind of enthusiasm which its author would wish to see prevalent in the British fleet. Superstition as much as you please,—the sailor will fight the better for it,—but not a word about religion!

The 'Tales of a Tar,' also by Captain Glasscock, are, as we are informed in the Preface, founded on fact. The first and longest tale is an account of the mutiny at Spithead in 1797—the '*breeze* at Spithead,' as the author calls it—and we must here take occasion to entreat that he will reserve his *slang* for the interlocutors in his dialogues, and use plain English in his proper person. The clearness and connectedness of his account of the mutiny is sadly marred by the attempt to make it conversational. If the episodes and interruptions had been struck out, all that is really interesting might have been comprised in less than half the space the tale now occupies. Of the remaining stories, 'A Brush in the Boats' is best told; but we prefer quoting from another the following short sketch (given in the language of a common sailor) of that ornament of our navy, Lord Collingwood:—

'Poor old Cuddy!* a better soul, nor braver heart in breeze or battle, never thumped 'twixt the ribs of man! *He* was none o' your nice-uns as never seed daylight till the decks were dried up, and reg'larly reported as dry as a bone. Sea or harbour, wet or dry, gale or calm, the dawn always seed him on deck. There he'd pace the break o' the poop, with his blue-breeks and white stockings (for winter or summer he rigged alike), his

* Cuddy, a familiar abbreviation for Cuthbert, Collingwood's Christian name.

hard-weather hat shipped—for the scraper he bent in a breeze was always in use afore breakfast. It was as brown as a berry, and the lace round the rim as black as an old copper bolt. Well, there, with his three-cocked-scraper a-thawtships—for 'twas a reg'lar razee—ay, lower cut-down nor a Green'ich boson's—well, there, in this sort o' rig, he'd pace the poop, twirling his two thumbs afore him, for all the world like a straight-haired quaker, whilst the mizen-topmen washing decks of a morn, would sluish and slash the water about him, in every direction.—"Never mind *me*," he'd say, as if he was no more,—no, no more nor a reg'lar galoot, "never mind *me*, my man," (for he always spoke to a man *like* a man,) "if *I* gets in your way," he'd say, in a voice and look as told the truth of his tongue—for half your chaps as *say* a kind word to a fellow, don't say it so much from their nat'ral bent, as to try and earn a *name*, as they knows in their hearts they doesn't desarve—"if *I* gets in your way," old Cuddy 'ould say—"it's my fault, my man, and not *yours*, my man." He'd the most takenest tongue I ever met in my day.—I'm blessed, if I woudn't rather get a reg'lar blowin'-up from he—nor—ay,—a *good* word from half your capring skippers.'

Of 'The Naval Officer,' written, we believe, by Captain Marryat, of the Navy, we are sorry to be obliged to say, that it is marked by many violations of taste and propriety. But it was the author's first, and probably a hasty production; and we are inclined to believe that he sees its faults as clearly as we do; for he has amply redeemed them in his excellent novel, 'The King's 'Own,' which is entirely free from the impurities which obscure the merits of 'The Naval Officer.' Captain Marryat is a very agreeable writer,—fluent, easy, and unaffected in his style; concise, clear, and vivid in his descriptions; lively and dramatic in his dialogue; and he has a shrewd insight into peculiarities of character, and a happy faculty of exhibiting them amusingly. Each of his novels consists of a series of adventures connected rather inartificially, but better in the last than in the first. The hero of 'The King's Own' is introduced to us as the son of a man of good family, who had been driven from home by parental tyranny, and under a feigned name entered a man-of-war, where, his pride revolting from a degrading punishment which had been unjustly inflicted, he became one of the leaders in the mutiny at the Nore. He is condemned and executed, after devoting his child to the service of his country, and leaving him to the guardianship of an old seaman, who marks him with a broad arrow, and calls him 'The King's Own.'

The hero, who, having no ascertained name of his own, is accommodated with that of Seymour, soon ceases to be very conspicuous, and dwindles into an orderly well-behaved midshipman, one of the least interesting and amusing characters in the book. The subordination maintained in the service must necessarily prevent

him from being very prominent in a work which professes to give a true picture of a naval life; but still he might have been brought forward a little more. Several of the personages who figure in this book are well drawn. Our favourites are M'Elvina the smuggler, and Jerry the facetious midshipman; and we have also a considerable regard for Billy Pitt, the philological negro. Some of the others, though amusingly described, depend too much for their effect upon one or two phrases, or some single peculiarity,—a flimsy method of exhibiting character, much adopted by farce writers, and to which Captain Marryat is under no necessity of having recourse. There are some excellent descriptions in this novel, both serious and comic. As a specimen of a humorous scene, we will introduce to our readers Captain Capperbar in conversation with his ship's carpenter, from whence we may learn how a crew may be profitably employed, and his Majesty's stores converted to useful purposes never contemplated by the Government:—

'"Well, Mr Cheeks, what are the carpenters about?"

'"Weston and Smallbridge are going on with the chairs—the whole of them will be finished to-morrow."

'"Well?"

'"Smith is about the chest of drawers, to match the one in my Lady Capperbar's bedroom."

'"Very good. And what is Hilton about?"

'"He has finished the spare-leaf of the dining-table, sir; he is now about a little job for the second-lieutenant."

'"A job for the second-lieutenant, sir? How often have I told you, Mr Cheeks, that the carpenters are not to be employed, except on ship's duty, without my special permission."

'"His standing bed-place is broke, sir; he is only getting out a chock or two."

'"Mr Cheeks, you have disobeyed my most positive orders.—By the by, sir, I understand you were not sober, last night."

'"Please your honour," replied the carpenter, "I wasn't drunk—I was only a little fresh."

'"Take you care, Mr Cheeks.—Well, now, what are the rest of your crew about?"

'"Why, Thomson and Waters are cutting out the pales for the garden, out of the jibboom; I've saved the heel to return."

'"Very well; but there won't be enough, will there?"

'"No, sir, it will take a hand-mast to finish the whole."

'"Then we must expend one when we go out again. We can carry away a top-mast, and make a new one out of the hand-mast, at sea. In the meantime, if the sawyers have nothing to do, they may as well cut the palings at once. And now, let me see—oh! the painters must go on shore, to finish the attics."

'"Yes, sir, but my Lady Capperbar wishes the *jealousees* to be painted vermilion: she says it will look more rural."

' " Mrs Capperbar ought to *know enough* about ship's stores, by this time, to be aware that we are only allowed three colours. She may choose or mix them as she pleases; but as for going to the expense of buying paint, I can't afford it. What are the rest of the men about?"

' " Repairing the second cutter, and making a new mast for the pinnace."

' " By the by—that puts me in mind of it—have you expended any boats' masts?"

' " Only the one carried away, sir."

' " Then you must expend two more. Mrs C—— has just sent me off a list of a few things that she wishes made, while we are at anchor, and I see two poles for clothes-lines. Saw off the sheave-holes, and put two pegs through at right angles—you know how I mean."

' " Yes, sir. What am I to do, sir, about the cucumber frame? My Lady Capperbar says that she must have it, and I havn't glass enough—they grumbled at the yard last time."

' " Mrs C—— must wait a little. What are the armourers about?"

' " They have been so busy with your work, sir, that the arms are in a very bad condition. The first-lieutenant said yesterday that they were a disgrace to the ship."

' " Who dares say that?"

' " The first-lieutenant, sir."

' " Well, then, let them rub up the arms, and let me know when they are done, and we'll get the forge up."

' " The armourer has made six rakes, and six hoes, and the two little hoes for the children; but he says that he can't make a spade."

' " Then I'll take his warrant away, by heavens, since he does not know his duty. That will do, Mr Cheeks. I shall overlook your being in liquor, this time; but take care.—Send the boatswain to me." '

The least commendable parts of this entertaining novel are those descriptive of scenes on land; particularly the adventures of Mr Rainscourt, which are very little to our taste. We are also sorry that the author should have thought proper to end his tale tragically. One who, like the novelist, has the power of life and death in his hands, should not murder his hero without necessity. The most disagreeable of all tragedies is a tragedy in disguise, which buoys you up with false hopes that all will end well, and then horrifies you unexpectedly with a dreadful termination. The wit of man has not yet devised any thing better than the old stale *finale* of a happy marriage; and we advise all novelists to adhere to it. We have said enough to show that we are greatly pleased with Captain Marryat's second work, and that we shall be glad to see another like it.

ART. VIII.— *Inquiry into the Rise and Growth of the Royal Prerogative in England.* By JOHN ALLEN. 8vo. London: 1830.

THIS is beyond all comparison the most important book upon constitutional antiquities and law that has appeared for many years. Indeed, it claims a very distinguished place among the great works upon those subjects which are familiar to the lawyer and the historian. Replete with profound and accurate learning, displaying everywhere extraordinary powers of reasoning and judging, clothed in a style at once simple and powerful, it possesses an additional title to the regards of those who love liberty, and value the institutions which are at once its best gifts and its surest safeguards; it breathes throughout a warm love of freedom, and a firm spirit of resistance to the slavish maxims, which lawyers unhappily, as well as courtiers, have almost always been prone to inculcate. This spirit, however, has only guided Mr Allen to investigate and expose the errors of his predecessors; it has never warped his own judgment, or led him either to violent language or extravagant opinions. He exhibits the most calm determination always to search after the truth, and having found it, to make it known, but only as matter of legal and constitutional learning, never as food for gratifying the factious and the clamorous. Indeed, the importance which our author attaches to the authority of former ages, and which is avowed by the very undertaking of the enquiry, squares but little with the rash and sweeping nature of the modern zealots for liberty and popular rights. That school, generally speaking, not only disregards all appeals to the wisdom of past ages, and despises all enquiry into the ancient system of our civil polity, but actually holds an institution to be the more surely ill founded if its origin can be traced to less refined times than our own. Conceiving that society is improving, the disciples of the new academy look with more than suspicion upon every produce of the wisdom of earlier days. If any proposed practice can be truly said to be without the warrant of precedent, so much the more likely do they hold it to be an improvement; and consequently, if any principle can be found to have been adopted and acted upon by ruder ages, by so much are its claims to their assent held to be lessened. One of the chief apostles of the creed held by the wholesale reformers, the late Major Cartwright, deviated somewhat from their prejudices against antiquity; for the days of Runnimede and Magna Charta were the great burdens of his song; and his predilection for annual par-

liaments was recommended to him not only by the practice of our ancestors, as far back as the sixth and seventh centuries, but also by the authority of publicists in the seventeenth; among whom he cited 'Mr Prynne's well-known work recommending 'the revival of short parliaments,' lucklessly mistaking the title of that book, so well known to him, that he could not possibly ever have seen it,—'*Brevia Parliamentaria Rediviva. (Parlia-'mentary Writs Revived.)*' Since this very inauspicious attempt to graft radical reform upon ancient authority, we are not aware of any similar appeals to antiquity having been made, or any display of learning tried by the wholesale reformers. The school of Mr Bentham, not certainly chargeable themselves with any defect of learning, have uniformly held such things cheap in others; and with them Mr Allen is likely to pass either for a friend of popular rights, whose zeal leads him to take a trouble wholly superfluous, when he traces them to the remotest periods of history; or as an ally whose aid rather impedes than furthers the progress of a cause resting wholly on reason, and ostentatiously disclaiming every thing like deference to authority.

From such objectors we take leave to dissent entirely. They commit here, as elsewhere, their accustomed error, of forgetting that they have to work with men, through men, upon men—that they have not to do with an ideal being, made by themselves, and fashioned to suit their theories—a creature actuated by no passions and no feelings but such as their theories allow, and filled with only their own dogmas and their own views—that the men for whom they are giving laws, or forming systems of polity, are made to their hands, and will not, nay, cannot change at all, the first nature impressed on them at their birth—nor merely, except within certain narrow limits, and after a long time, the second nature with which habit has clothed them. They commit precisely the error which would condemn to lasting ridicule and ever-during lack of employment, a mechanist who should construct his engine without the least regard to either friction, or resistance, or the strength of materials; he would produce something fair to behold, and resembling machinery, until it came to work, when it would either do nothing at all, or crush the workmen with its fragments. All the fundamental principles of dynamicks, however, would be found to have been most learnedly complied with; the artist would have chapter and verse to show for his elaborate calculations; he would probably be as angry at the bystanders for doubting the accuracy of his work, as at himself when it failed, for having left out the consideration of the air, and the beams, and the ropes; but in this respect he would differ widely from the intolerant and

dogmatical Utilitarians—he would acknowledge the oversight; whereas they only wax the more angry at all who doubt their infallibility, and call for more practical doctrines, and schemes more suited to the actual condition of human affairs.

That it may not be imagined we are indulging in general description, or invective, which they like not, or what they hate worst of all, sneers—they who are the greatest dealers in invective, the most unremitting callers of ill-names, the largest users of what they plainly intend for sarcasm—we shall illustrate what we say by one or two examples, familiar, we should think, to the initiated, and sufficiently suited to our purpose. The *characteristic* mode of punishment is much recommended for its wholesome effects upon the minds of the beholders, the only legitimate object of all punishment. Let, say they, a woman convicted of stealing children, be placed in a conspicuous place, with the figure of a hollow child suspended round her neck, into which weights may be put, to annoy her in proportion to the atrocity of her offence. Now, here they forget one principle of human nature, which would, as men are at present constituted, operate to counteract the whole effect of this penal exhibition. Men—all men, as at present made, would laugh vehemently, instead of feeling great terror, at such a grotesque exhibition of the true principles of penal justice reduced to practice. And if men are to be made anew, so as not to laugh at such follies, it would be as easy at once to make them without the propensity to steal children. Again—Jury trial is undervalued on account of its imperfections; and the administration of justice is to be intrusted to judges, irremovable, except on proof of misconduct. But it is all the while forgotten that we must, as long as the nature of man remains feeble and corrupt, expect judges to share these defects; that the control of a jury can alone afford a constant security against them; and that were men no longer such frail and faulty creatures, the institution of both judges and juries would be superfluous. Furthermore, say the Utilitarians, why perplex yourselves about patronage and government influence in filling up offices? Establish, by your code, the qualifications required for candidates, and then let all places be offered for sale to the highest bidders. Now here, we say, they wholly overlook the tendency of men to follow corrupt courses for their personal interest; the extreme difficulty of preventing individuals from imitating the state, and selling their voices upon the question of qualification, as the state avowedly does its preference among the qualified; the impossibility of laying down certain rules as to the qualifications required for office,—as, for example, how much acuteness, sagacity, disinterestedness, industry, shall en-

title a man to be promoted; the certain effect of the venal plan to exclude all competitors except the wealthy: so that the philosopher, while he fondly dreams that he has invented an easy rule of selection, and compounded a specific against abuse of patronage, has in reality, by totally overlooking the nature of men, contrived the most efficacious means for excluding all merit and honesty from the public service, and making the dominion of the most gross, and sordid, and impudent corruption, universal and perpetual, insomuch that it may fairly be doubted whether, under such a system, any human society could be held together twelve months.

Something of the same oversight is committed by these ingenious and daring speculators, upon what are termed constitutional questions. First, they deny the existence of such a quality in any measure or plan, as is by other men called *constitutional* or *unconstitutional*. This means, say they, only something which somebody, for some reason, likes or dislikes. It is not lawful or unlawful; for it is, avowedly, not to be tried by its legality. Therefore it means nothing. Cannot they comprehend how a thing may be wrong, as inconsistent with the spirit of our political system, which yet the law has not prohibited? Thus judges may lawfully be promoted from inferior to higher stations on the bench. But is it not wrong to make this the rule in practice, which should be the exception? The Chancellor may be a private or a common person, not bred to the law; but were he often so chosen, the administration of justice would suffer severely. The King may levy troops if he can pay them; and his foreign dominions and his savings may enable him to keep more on foot than Parliament has voted, though he cannot punish them for mutiny and desertion. Would not a minister be answerable as for giving unconstitutional advice, who should recommend such a step to his sovereign? Nay, if Parliament were to vote as large an army as the public service demanded, and twice as large a civil list as the dignity of the crown required, have the words no sense by which all thinking men would condemn such resolutions as contrary to the spirit, and dangerous to the existence, of the constitution—in one word, as *unconstitutional?* Yet by the supposition they would be legal; for the legislature itself would have sanctioned them.

Next, the philosophers of whom we are speaking, (and, considering their great talents and important services, more in sorrow than in anger,) hold exceedingly cheap all appeals to the sanction of past ages, that is of experience, and to the authority of other times, and of men wise in their generation. Are they well advised in this course? Is it nothing in favour of any in-

stitution that it has existed so long? Does not its endurance at least show the strength of its parts, the solidity of its foundations, and the harmony of its arrangements? What signifies it, say our speculators, that men more ignorant than ourselves, and less experienced, adopted such a scheme? But does it become us to brag of our great experience, if we shut our eyes to the experiments of those who preceded us? What the better, then, are we for having lived after them? We may admit that the mere fact of any establishment existing, or having long existed, is not a sufficient reason for holding it sacred, if its consequences are plainly hurtful. But where its effects are very doubtful, and the good hangs nearly in even balance with the mischief, the ancient origin and long continuance of the institution ought clearly to decide in its favour. Its mere existence is something; but the adaptation of so many other things to it, the fact of so many other parts of our system being founded upon it, or connected with it, renders the change prejudicial and dangerous, unless it be called for by some manifest expediency.

There is, however, another light in which the subject never is viewed by those theorists, and one of great practical importance. Whatever be its foundation, how great or how little soever its claims to the approval of rational and wise men, the tendency of the human mind to attach itself to any institution of long continuance, is an undeniable fact; it is as much a part of the nature of man to become fond of what has long existed within his knowledge, to feel a prepossession in favour of any establishment he has long been accustomed to, as it is a part of his nature to bear more easily, or do more readily, that which he has been accustomed to suffer or to perform. Indeed, the force of habit is one of the most marked features in our nature, and from it the kind of attachment we are speaking of mainly springs. Can any thing be more wild—nay, more truly unphilosophical, than to disregard this striking, this almost irresistible propensity of human nature, while framing laws and devising systems for the government of human beings? Is the omission a less oversight than that of the engineer, who should forget that the atmosphere is endowed with resistance? Nay, is it not more akin to his blunder, who should forget that matter gravitates? Yet this is not only the oversight of our philosophers; it is with them a form of faith: as if the mechanist should begin his discussion with the postulate, that bodies do not attract or repel one another.

The learned and sagacious author of the work before us belongs not to this school; or if he does acknowledge its doctrines, it is only to endue him with the strength of mind, the firmness of purpose, which disregards all authority when balan-

ced against reason, and examines the most generally received opinions with a determination to adopt them, or reject, solely as they shall be found entitled to credit upon their own merits, regardless of the high names by the authority of which they may have been sanctioned. Many things he finds laid down by antiquaries, more by historians, and not a few by eminently learned and slavish lawyers, which have no warrant in the true history of our institutions; and all such errors he exposes with the unflinching steadiness of purpose, which acknowledges only truth for a master. He has, accordingly, produced a work which must command general assent, and be the manual of those who regard with interest the antiquities of the constitution. The minute accuracy of legal learning which his pages display throughout, must have a great effect in recommending them to the professional lawyer, who will be forced to admit that, but for the want of 'addition' in the title-page, the treatise might have been the work of a practising lawyer.

The Enquiry opens with a striking and succinct statement of the regal power, as described by the abstract theory of our constitution, which clothes the monarch with every degree of power, and every kind of perfection. According to this theory, he is absolute ruler of the state; supreme judge among its inhabitants; sole owner of its land; commander of its forces; representative of its existence abroad; fountain of its honours. He is also, in the eye of the same law, immortal, infallible, everywhere present, and incapable either of doing or meaning wrong. The person invested with such mighty authority is, no doubt, merely ideal; he is a corporation, and a creature of legal theory; and in practice, his power is checked, and his defects supplied, in various ways; for he cannot act in any way without some adviser, or some instrument answerable for what is done; so that the power which in the contemplation of law is supreme, in practice is exceedingly limited. The same scheme may be traced in the polity of all the European nations which arose out of the ruins of the Roman Empire. The language of the law is everywhere nearly the same; everywhere, too, the sovereign has claimed the rights theoretically ascribed to him, and attempted practically to enforce them; everywhere he has, at different times, met with resistance, grounded upon the usages of the state; but this resistance has been attended with various fortune, leaving in some nations the crown, and in one or two the people, victorious.

Whence has this fundamental notion of regal supremacy been originally derived? Not certainly, Mr Allen contends, from the German tribes, the fathers of all the Gothic monarchies—for they acknowledged in their sovereigns only leading captains in

war, and councillors in peace. But he justly, in our opinion, traces the pernicious and slavish principle to the Roman Empire, —a system of the most unmixed despotism, both at home and abroad, that the world ever saw.

'It was the doctrine of civilians that the Roman people had transferred to their emperor the whole power and authority of the state, in consequence of which he became the sole organ and representative of the commonwealth. Whatever he pleased to ordain, was law. Whatever he commanded, was to be obeyed. These maxims had been theoretically established and practically enforced for ages when the empire became a prey to the Barbarians. The conquerors, accustomed to different notions of government, were not inclined to part with the liberty and freedom from restraint, which they had enjoyed in their native woods. But the new situation in which they were placed, their dispersion over a vast territory, amidst nations they had subdued and plundered, made it necessary, for their common safety, to strengthen the arm of government, and intrust to a few what had formerly been the property of the whole. In practice, they gave up as little as possible of their ancient independence, and when roused by a sense of real or imaginary wrong, they were ready at all times to assert with their swords the rights they had inherited from their ancestors. But, in the changes that became necessary in their written laws, in the instructions to public officers for the administration of their internal government, and in the legal forms required for the secure possession and transmission of property, to which they had formerly been strangers, they were compelled to have the aid of provincial churchmen and lawyers, the sole depositaries of the religion and learning of the times. These men, trained in the despotic maxims of the imperial law, transfused its doctrines and expressions into the judicial forms and historical monuments of their rulers; and thus it happened, that if the principles of imperial despotism did not regulate the governments, they found their way into the legal instruments and official language of the Barbarians. An imaginary King or prince was created, in whom, by a legal fiction, was invested all the power and majesty of imperial Rome. The same names were even affected. The Barbarian, who had recently exchanged his title of *heretoga* for that of King, was persuaded to style himself Basileus, in imitation of the Eastern emperors, or to prefix the appellative Flavius to his name; his sons and cousins were called Clitones or illustrious; his servants became Palatine officers, and his crown an Imperial diadem.'

It was thus that the institutions of Roman despotism were introduced, its legal ideas inculcated, and its servile language naturalized, among the Barbarian conquerors of the Empire. The laws of Rome continued in force; in many countries they finally predominated over the original customs; and in all, entered largely into the systems of jurisprudence framed for the government of the people. 'Is it then,' our author asks, 'to be 'wondered at, that the political maxims and principles of the go-'vernment insinuated themselves into the states erected on her

'ruins, and tainted, if not the substance, the forms at least, and 'language, of the public law?' But it by no means followed that the Barbarians, accustomed to freedom, and ignorant of kingly supremacy, submitted to the reality of despotism, because its forms and language were borrowed from Rome, where both the name and the thing were united. 'The Barbarian who had 'justice done him in the ancient tribunals of his nation, enquired not in whose name it was administered. If he obtained the 'lands he wanted, it was indifferent to him in what form they 'were granted. He received them from the public authorities of 'the state, and cared not whether, in the act of donation, they 'were described as gifts of the king, or of the kingdom.'

After describing the various ways in which the Kings of the Barbarians delighted to ape the Roman Emperors, our author thus proceeds to show how wide the difference was between the Roman theory of these monarchies, and the Gothic practice:

'But, amidst the honours and decorations with which royalty was clothed by its flatterers and admirers, the rough garment of the Barbarian was seen to peep from under the borrowed purple of the empire. The real King, to whom these imposing titles and high-sounding claims were attributed, remained, as before, the chief of a warlike and turbulent people, regardless and hardly conscious of this fictitious change in his condition. The ideal King of the churchmen and civilians was an absolute prince, in whom were centred the whole power and majesty of the state. The real King, limited in his authority by ancient usage, depended on his personal qualities for the degree of power he possessed; and when seduced by his imaginary dignity to extend the bounds of his prerogative, he had not unfrequently to pay, with his life or deposal, the penalty of his rashness and presumption. After a time, however, the language of adulation, repeated in every act and instrument of government, produced its effect. Men, accustomed to hear their prince described as the source and depositary of their laws, began to think there must have been some ground for the assertion. The real power of the King, as general in war, and chief magistrate in peace, when seasonably enforced and skilfully improved, enabled him to prosecute, on many occasions with success, his encroachments on the ancient usages and privileges of the nation. Order was maintained and justice administered in his name; and as respect for order and justice gained ground, his subjects, who considered themselves indebted for these blessings to his care, were often induced to acquiesce in pretensions, and submit to usurpations, which had no other origin than a theory of government founded on fiction, borrowed from a foreign law, and fortified by time, because it had been suffered to pass without contradiction by those who, rejecting its authority in practice, were hardly aware of its existence in words. After many a struggle between liberty and prerogative, the result has been in England that the real power of the King has been limited and defined by constitutional law and usage, but that the old attributes are still ascribed to him in law books; that an incongruous mixture

of real and imaginary qualities has been formed, which has been called the union of his natural with his mystic or politic capacity; and that many privileges and peculiarities have been assigned to him in his natural person, for reasons derived from his ideal or politic character.'

The pious sycophancy of churchmen carried the title of Kings a step higher than even the profane adulation of the Romans, who deified their princes, had ventured to do. Those holy slaves deduced the royal authority, not as the civilians had done from a grant of the people, divesting themselves of all rights, but from the gift of God himself, by whose grace the King was said to reign. He was anointed with oil, consecrated by a priest, and saluted as the vicar or vicegerent of Christ. No matter by what steps he had mounted the throne, through what slaughter of its rightful occupants, all deriving the same title from the same God. As soon as the sceptre was in his hand, he held it by divine right; every text in the New Testament, inculcating submission, for the sake of peace, to the existing government, was pressed into the service of the prince, as if it had been devised for the support of regal authority alone; and even the denunciations *against* kingly government by the prophets of the Old Testament, were cited to show the sinfulness of opposing the regal will.

Such being the origin of the attributes given to the ideal person of the sovereign, our author proceeds to show how, notwithstanding their admitted speculative nature, they have warped the judgment of lawyers and antiquaries, respecting the actual practical rights and prerogatives of the real King, insomuch that many of the latter have been surreptitiously introduced and established under the colour of the ideal prototype.

Many instances are given, familiar to most legal readers, to illustrate this kind of confusion or transference, whereby the two capacities, natural and politic, of the King, are mixed together, as the one is considered in the premises and the other in the conclusion. Thus the King is supposed to be at all times present in all courts; and upon this theoretical fiction is grounded the practical consequence that he cannot be non-suited like a common party; because that operation consists in his being summoned to appear, and making default. So he is perfect, and cannot be guilty of *laches*, or neglect of his rights; and therefore, at common law, those rights could never be lost by any length of non-user, nor could any length of possession secure others against his claims. He can never die; and therefore the same gift of lands to him, which would give a common person only an estate for his life, gives the King a fee simple, for his successors are comprehended in himself. These things are familiar to legal students; but we are now approaching the parts

of this Enquiry which are calculated to throw new and valuable light upon the subject, and to prove how little the prevailing notions of many lawyers are correct, upon the high antiquity of the prerogatives, at different periods of our more recent history claimed by the crown. And here the learned author first mounts up to the Anglo-Saxon times.

By the ancient laws of Kent, theft from the church was to be redeemed by paying twelve times the value of the thing stolen; from the Archbishop, eleven times; from the King, or a person in priest's orders, nine times; and from a common layman, three times. Breach of the peace in a town belonging to the King or Bishop, was fined 120 shillings; in an ealdorman's town, 80 shillings. The *mundbreach* (a violation of protection) of the King and Archbishop was the same in Kent; by the law of the West Saxons it was L.5 for the King, and only L.3 for the Prelate. The *weregild* (or compensation for the murder) of a common person of the lowest class was 200 shillings; of a thegn, 1200 shillings; of the King, 7200 shillings; but as much more was payable to the state for the King's death, beside the weregild which went to his family. Among the North Angles and the Mercians, the King's weregild, which went to his family, was the same with that of the Ethelings, or princes; and as much more went to the state: the whole sum was L.1181, 5s. sterling, that of an ealdorman being about one-fourth as much.

Mr Allen justly concludes from hence, not only that the immeasurable distance at which the King is now placed above his subjects, was little known in the Saxon times, but that the best-established and most important principle of our law of prerogative, the inviolability of the royal person, was wholly unknown in those ages. The monarch had the same kind of security for his person that any one else had, though to a larger amount. Indeed, our author very reasonably considers that the sanctity of the person originated in the relation betwen the *hlaford* or lord, and the man, which was held peculiarly sacred, and the obligations of which were reciprocal, implying protection on the one hand, and allegiance on the other. This view is, we think, strongly borne out by the fact, that 'the laws called Alfred's,' and certainly collected by him, declare the compassing the death of a hlaford by his man, to be irredeemable by any weregild. The same protection is given by those laws to the King; the compassing of his death by his man, is inexpiable. In process of time, this was extended by the introduction of the principle that the King is as it were the hlaford of all his subjects; and hence treason is to this day, by the law of England, of two sorts—high treason, or that committed against the King by his man; and

petty treason, or that committed against a master by his servant, evidently the remnant of the treason committed by the man against his hlaford: but since the statute of Edward III. the crime consists in the intention only, where the King is the object; where a common person is concerned, the purpose must be carried into execution, otherwise the treason is not committed.

No maxim of our constitution, not even the inviolability of the Sovereign's person, is better established than the hereditary descent of his crown; yet in the early times of the monarchy it was elective; and the form of election, as often happens, long survived the reality of a choice. During the whole period of the Saxon monarchy, it was strictly elective; though generally among the members of one family; and so deeply rooted was this principle in men's minds, that the Conqueror thought fit to undergo the ceremony of an election after he reached London. The three Kings who succeeded were raised to the throne by their followers; and Henry II. was made King by force of his treaty with Stephen, ratified by the Barons. His eldest son, to secure his succession, was crowned in his lifetime, and predeceasing him, left Richard I. to succeed; who, Mr Allen observes, was the first King that took the crown by descent only, and without any interval after the decease of his predecessor. Between his death, and John's accession, there was an interregnum of nearly two months; he was chosen King, and dated his reign from his coronation, and not from his brother's death. Henry III. succeeded his father, but after an interval of nine days. At his decease, Edward I. succeeded peaceably, but dated his reign from his being recognised as King at his father's funeral, four days after he died. Since that time, 1271, there has been no interregnum, unless when the order of succession was broken by changes of dynasty.

The slow steps by which the doctrine of allegiance attained its present form, afford another illustration of the limited authority originally enjoyed by the Kings of this country. The oath of unconditional allegiance, unknown in form as in substance among the Barbarians, was borrowed from Rome, where the slavish people renewed it to each succeeding Emperor. But as it did not suit the Gothic taste for freedom, the monarch softened it by taking an oath himself, which made the obligation reciprocal; and that a breach of promise on his part absolved the subject from his obligations, appears from a capitulary of Charles the Bald, expressly authorizing rebellion in the event of his violating his duty. To the Roman allegiance, thus made mutual, was added a relationship peculiar to the northern tribes, that of vassalage, or the connexion between a follower and his mili-

tary chief; and this allegiance, or fealty, and the return made for the chief's protection and favour, was dissolved by his violation of the covenanted duty towards his man. The King had his immediate vassals, who, as well as his men, owed him fealty like those of the other great lords, of whom he was the principal; but the subject, in general, only owed him allegiance without homage.

Among the Anglo-Saxons, though there are instances of fealty being occasionally sworn to the Sovereign, there was not, as among the Franks, a regular oath taken by the subject; but the King always took one at his coronation. The oath taken by subjects to the King was, in England, always the conditional and mutual oath of fealty and homage, by a man to his hlaford; and our author gives it entire as follows: 'I shall be faithful and 'true to N, and love all that he loves, and shun all that he shuns, 'conformably to the laws of God and man, and never willingly, 'nor wittingly, by word or deed, do aught that is hateful to him, 'on condition that he keeps me as I am willing to earn, and all 'that fulfil, which was agreed upon between us, when I submitted to him and chose his will.'

The most ancient oath of allegiance is that urged by the Laws called the Confessor's, in the tenth century: one of these expressly commands subjects to 'swear such fealty to King Edward 'as a man owes to his lord.' It is clear, therefore, that allegiance was held to be conditional. There is even an example on record of the condition being expressed; for Ethelred II., after being dethroned and banished by the Danes, was afterwards taken back by his subjects in 1014, upon a pledge of better conduct, and a promise 'to be towards them a faithful hlaford.' There are many instances of the council or *witan* dethroning kings for breach of their obligations. It deserves also to be mentioned, that the oath which vassals took to their mesne lords, contained no exception or qualification whatever in behalf of the King, should the lord and the King quarrel; and in the kingdoms of the continent as well as in England, the lord could in such cases command his men's service against their common sovereign. This was remedied by William the Conqueror, who made the oath of fealty to the crown be taken generally, and without any reserve; and his example was followed in other countries. But in all the obligations of allegiance, fealty to the king was held to be dissolved by his breach of duty to the people. Thus, in France, the oath to Philip Augustus contains a qualification—'So long as he shall do justice in his court;' and St Lewis declares rebellion justified against the King who denies justice, pronouncing the fief of the vassal forfeited who refuses to serve

his mesne lord in the prosecution of the resistance. Mr Allen traces the same remarkable principle in the English institutions, although the language is not so precise among our lawyers as among those of the continent. *Diffidation* was the term used of old to designate the notice given by parties bound together by reciprocal ties, that the union was broken off. It is translated *defiance*, but originally meant a notice. Thus Henry III. sent a formal diffidation to William Earl Marischal, declared him out of protection, and made war on him. The Earl afterwards, on being asked to return to the King's protection, says, 'I am no 'traitor; the King has, without judgment of my peers, deprived 'me of my honours and laid waste my lands; twice he has 'put me out of his protection, while I demanded and was 'ready to abide by the judgment of my peers in his court. I 'am no longer his man, and by his own act have been absolved 'from the homage I had rendered him. It is therefore lawful 'for me to defend myself, and to resist the evil counsellors 'that surround him, by all the means in my power.'

The confederate barons before the battle of Lewes broke off their allegiance to the same king, and gave him battle, upon his declaring them out of his protection, because they denounced his advisers as public enemies. When Edward II. was deposed, Tressell first approached him on the part of the lords spiritual and temporal, and withdrew their allegiance; and a like ceremony was observed towards Richard II. Mr Allen, in one of his valuable and learned notes, has given the speeches made upon these memorable occasions. The persons sent with the diffidation to Richard II. were eminent laywers, Thirnyng, Chief Justice of the King's Bench, and Markham, a puisne judge of the same court. The chief was the spokesman, and thus addressed the King: 'And we procurators,' he adds, 'of all thes 'states and poeple forsayd, os we be charged by him and by hir 'autorite gyffen us, and in hir name, zeld zowe uppe, for all the 'states and poeple forsayd, homage, liege and feaute, and all 'ligeance, and all other bondes, charges and services that long 'ther to. And that non of all thes states and poeple from this 'time forward ne bere zowe feyth ne do zowe obeisance os to 'ther Kyng.' The learned judges prefaced the notice which they thus served upon his Majesty, by reading to him 'certain 'articles of defaute in his governance, for which the Parliament 'had adjugged him to be deposed, and pryved of the astate of 'Kinge, and of all the dignitie and wyreshipp, and of all the 'administration that longed ther to.'

Our author, after referring to the practice of diffidation in

use among those who were subjects of both France and England, and the analogous rights of the Spanish proprietors to throw off their natural allegiance upon notice, traces the doctrine of allegiance; which after much struggle, and long standing doubts, was, in James First's reign, decided by the courtly spirit of the judges and crown lawyers in favour of its being due to the person, and not to the place of the sovereign. But this anomaly in the constitution, which was calculated to subvert every principle of liberty, by denying all right of resistance, was fated to enjoy a shortlived triumph. In 1642 the two Houses of Parliament declared the sounder principles of the monarchy, but pushed them to a fatal excess; the Restoration abrogated this declaration, and put the prerogative upon the footing of passive obedience: the Revolution, founded upon the right of resistance, once more expunged this slavish doctrine from our statute book, and the principle was fully recognised, to use Blackstone's words, 'that resistance to the person of the King is justifiable, when by 'his misgovernment of the kingdom the existence of the state 'is endangered, and the public safety proclaims such resistance 'necessary.' These rights he calls 'inherent, though latent 'powers of society, which no climate, no time, no constitution, 'no contract, can ever destroy or diminish.' (1 *Com.* 245, 251.) This interesting and very learned deduction is thus closed.

'Notwithstanding the zeal and success with which the monarchical theory was diffused over Europe by lawyers and churchmen, there have been states where resistance to the King was, in certain cases, sanctioned by law. In Castille, if the King attempted aught to his own dishonour, or the prejudice of his kingdom, his subjects were entitled and even required by law to resist his will, and remove evil counsellors from his person. In Aragon the nobles enjoyed what was called the privilege of union, by virtue of which they were entitled to confederate against the crown, where any attempt was made by the King to invade or encroach on their liberties. The union was a legal and constitutional association, authorized and regulated by law. It issued its mandates, as a corporation, under a common seal, and could make war on the King without exposing its members to the penalties of treason or rebellion. In England we have one solitary instance of a similar institution. By one of the provisions contained in the Magna Charta of King John, twenty-five barons were to be elected, whose duty it was to take care that the liberties granted by that monarch were observed. If any infringement of those liberties took place, or if any injustice or oppression was committed by the King or his servants, any four of these barons might remonstrate to the King, or, in his absence, to the justiciary, and if redress was not obtained within forty days, the whole twenty-five, or a majority of them, were empowered to make war on the King till relief was given to their satisfaction. All persons

were bound to assist this commission of twenty-five in the discharge of their duty, and the only limit to their hostilities was not to touch the persons of the King and Queen or their issue. This guarantee of our national liberties, which the cruel and perfidious character of John had probably suggested, was omitted in the charter of his son, and therefore forms no part of the Magna Charta of our statute book.'

The history of judicial rights and institutions affords our author similar illustrations of the limited powers in all ages enjoyed by the crown, though the Saxon Kings were sworn to assist personally in administering justice, and this practice continued long after the Conquest. But in those times he could also be sued in his courts like a common person. It was so before the reign of Edward I., in whose time the practice of obtaining redress against him by petition was first introduced. A judge is reported in the year book of Edward III. twice to have said that he had seen a writ beginning '*Præcipe Henrico, regi Angliæ.*' This shows that he could be commanded, in spite of Finch's loyal exclamation, 'Who shall command the King?' And that he had a superior, in spite of Bracton's civilian and Romish doctrine, that God only is over him. The author of Fleta more truly and more honestly says, that 'the King has a superior in the law which 'made him King, and a superior in his court, his earls and 'barons.' To the same purpose is the restraint by means of appeal, upon the possible negligence or corruption of the crown in not prosecuting or in pardoning offences.

The next subject of enquiry is the legal fiction, which holds all real property to be holden directly or indirectly of the crown—a principle of alarming sound, and indeed of import no less portentous, if it had any foundation whatever in the fact. But our author, little disposed as he in general is to spare the lawyers and legal antiquaries, candidly admits that they have never maintained this doctrine as having the least foundation in reality, with the single exception, perhaps, of Madox, who most absurdly says 'that William the Conqueror was seized of all England in 'demesne; that he retained part of it in his own seisine, and other 'part thereof he granted and transferred to others,'—a proposition refuted by every page of history, and every report of judicial proceedings at and after the Conquest. Our author shows at much length that the land of the community never, in the Saxon times, belonged to the King or chief; that when any conquest was made by the northern nations, the lands were divided among the leaders and their followers, and part reserved for the *fisc* or state, as well as part given to the chief leader or King; that by degrees the first holders of the land surrendered it to

powerful proprietors, from whom they again received grants of it, to be holden under their authority and protection, in return for which they rendered certain services; and that thus allodial possessions ceased generally, and were supplanted by feudal tenures. This was the history of landed property all over the continent, and England formed no exception to the rule. The Anglo-Saxons distributed the lands in part to individuals, and reserved the residue to be at the disposal of the state. The opinion of Mr Allen is, that the former constituted what was termed *Boc-land*, and held by book or charter; the latter was termed *Folc-land*, land of the folk or people, and continued at the disposal of the *folc gemote*, or court of the district, reverting to the community after the expiration of the period for which it was granted out. The boc-land might be held by the King as well as by other individuals; the folc-land was subject to various burdens of a public nature. The boc-land was held in free and absolute property, unless in cases where it had been originally granted upon condition of certain payments. Our author demonstrates, by the clearest evidence, the error of those antiquaries who have considered folc-land as held by the common people, or by those in a state of villenage; and shows that the same person possessed, in different places, and by separate titles, land of both descriptions. The whole of the dissertation on the tenures of land is highly interesting and full of learning; it certainly places this subject in a new light, and deserves the best attention of antiquaries and lawyers. But the matter most to our present purpose is that which regards the crown. The King, it seems, held land exactly as the subject did. This is clearly proved by King Alfred's will; from which it appears that Alfred had had the rights of himself and his family to the landed inheritance of his grandfather Egbert determined in the courts of law, and that he afterwards had been empowered by a decision of the *witan* to make a new settlement of his share.

Mr Allen demonstrates very fully that boc-land might be held by any tenure, under any conditions, and by any class of persons; and he illustrates the varieties of those holdings. It might be transferred, unless fettered by the terms of the grant; and it continued to be boc-land as long as it passed by deed. When the conveyance was without charter, it became what was called *læn-land*. Folc-land became boc-land by being granted out to individuals; and this gift was at first the act of the national assembly, and afterwards of the King, but always with the advice and assent of the assembly, or witan; and while all the charters contain a statement of this consent, instances are not want-

ing of such grants being revoked as invalid for want of it. Some of the folc-land was held by the thegns, or persons employed in military service, and called *thegn-land*; some by those engaged in the civil administration, the caldermen and *gerefan*, or reves, and this was called *reve-land*; and some part was set apart for the expenses of the royal household, and said to be held in *demesne*, or let out to farm. Frequently folc-land was granted out, subject to certain services or payments, for the King's use; and this was the origin of the right of *purveyance*, afterwards so shamefully abused in the times of the Plantagenets and the Tudors. The land first known by the name of folc-land, afterwards came to be called *Terra regia* and crown land; but the expression comprehended both what belonged to the King for his own use; what he held as private property by a title unconnected with the crown; and what he was only nominally the owner of, and could not alienate, or in any way affect, without the consent of the national council. In process of time this distinction was obliterated: It became a maxim of the English law, that all lands holden by the King, even those which descended to him from relations unconnected with the crown, were held by him *jure coronæ*, and made part of the crown property; and he obtained, on the other hand, an absolute control over the crown property, unfettered by the Parliament in all respects, except that of devising it by will. The patrimony of the crown was thus dilapidated with scandalous profusion, until the statute of Anne restrained the power of alienation to grants for three lives, or 31 years; and it was only by a strange anomaly, that, in the reign of George III., the ancient Anglo-Saxon scheme was restored; the crown lands being vested in the public, and the King enabled to hold lands by purchase, in his private capacity, and to devise them by will.

Such, then, was the Royal Prerogative in all ages of our history—not absolute by law, though oftentimes stretched by violence and usurpation—not monarchical in the continental sense of the word,—but limited and restrained by the rights of the people. 'Every one,' says Mr Allen, 'has read with disgust the 'indecent attempts of churchmen to impress a character of di-'vinity on Kings, to inculcate on their subjects the obligations 'of passive obedience and non-resistance as religious duties, to 'found their title on a delegation from heaven, and, with impi-'ous flattery, to exalt them above the Almighty, by maintaining, 'that the "most high, sacred, and transcendent" of relations is 'the "relation between King and subject." Every one has 'heard of the distinction made by judges and lawyers, in the 'times of the Tudors and Stuarts, between the ordinary and

'extraordinary, or absolute, as they were pleased to call it, pre-
'rogative of the crown. Every one knows the abuses introduced
'into our government, under pretence of the sovereign power
'attributed in law books to the King of England. And every
'one must admire the resolution and firmness of our ancestors
'in combating and successfully resisting these pernicious doc-
'trines.' Sir Thomas Wentworth, afterwards Earl of Strafford, friend of the crown though he was, opposed the addition propounded in the House of Lords to the Petition of Right, with these remarkable words, 'Let us leave to his Majesty to punish 'malefactors, but these laws are not acquainted with sovereign 'power.'—'Sovereign power,' says the illustrious Coke, the most learned of lawyers, yet one of the great patriarchs of English liberty,—'sovereign power is no Parliamentary word. Magna 'Charta and all our statutes are absolute, without any saving of 'sovereign power. Let us take heed what we yield unto. *Magna 'Charta is such a fellow that he will have no sovereign.*'—'I know '(said Pym) how to add sovereign to the King's person, but not 'to his power. We cannot *leave* to him a sovereign power; for 'he was never possessed of it.' We subjoin the concluding passage of this admirable treatise, as pregnant with sound wisdom, breathing the genuine spirit of the constitution, and conveying, in language at once just and striking, the practical results of our author's profound researches, and inculcating a truth, at all times of the last importance to the well-being of the community:—

'In modern times the prerogative of the crown has been so strictly defined by law, and since the Revolution there has been fortunately a succession of Princes so little disposed to contend for an illegal extension of its boundaries, that though the old doctrines of absolute sovereignty and transcendent dominion still disfigure our law books, they are little heard of elsewhere. Occasionally, however, it happens, that in parliamentary discussions, assertions are hazarded of latent prerogatives in the crown, which are supposed to be inherent in the very nature of sovereignty. That such pretensions are unfounded, it is not difficult to make out. Every government that is not established by military force, or founded on the express consent of the people, must derive its authority from positive law or from long-continued usage. But, where law confers any power, it prescribes and directs the mode of administering the authority it bestows; and what has been given by usage, is necessarily regulated by usage in its exercise. A prerogative founded on usage, which cannot be enforced because it has fallen into desuetude, is a contradiction in terms. No one will pretend, that any prerogative of the King of England is founded either on military force or on the express consent of the people. Every prerogative of the crown must therefore be derived from statute or from pre-

scription, and in either case there must be a legal and established mode of exercising it. Where no such mode can be pointed out, we may be assured that the prerogative so boldly claimed is derived neither from law nor usage, but founded on a theory of monarchy, imported from abroad, subversive of law and liberty, and alien to the spirit as well as to the practice of our constitution. In England there are no latent powers of government, but those possessed by the supreme and sovereign authority of the state. The King is our sovereign lord; but he does not possess the sovereign authority of the commonwealth, which is vested, not in the King singly, but in the King, Lords, and Commons jointly. When we hear of a prerogative inherent in the crown, which the King has no legal means of exercising, we may be certain that it has no existence but in speculative notions of government. Emergencies may arise, where it is necessary for the safety of the state to commit additional powers to the persons intrusted with its defence. But when such cases occur, we are to be guided by considerations of reason and expediency in the powers we confer, and not by vain and empty theories of prerogative, which the very act we are called upon to perform proves to be futile and unfounded.

Independently, however, of this practical inference, we hold the light which this book throws upon the early history of our constitution to be of the greatest importance. It shows us that, whatever the slavish propensities of priests or lawyers may have affected to believe, absolute power never was of right, and by law, naturalized in England; that freedom never was an exotic or a stranger, but the birthright and inheritance of Englishmen; that the presumption where no law or usage appears is always in favour of liberty, and against royal prerogative; that it is in no case for the subject to show his title to be free, but for the monarch to prove his right to oppress. Those who deem all former times to have been less enlightened than our own, are, generally speaking, correct in their assumptions; but it by no means follows that, the farther we go back into history, the less advanced we shall find the independence of the people, and the more absolute the rule of the prince. Men are not by any means less jealous of their rights in early than in advanced stages of society. It often, indeed, happens, that the same refinements which enlarge the intellect and polish the manners of a community, relax its love of independence, and prepare the way for encroachments upon its rights. And the proposition is any thing rather than accurate, which regards the liberty of early times as on a level with their civilisation.

ART. IX.—*Œuvres Complètes de* THOMAS REID, *chef de l'Ecole Ecossaise. Publiées par* M. TH. JOUFFROY, *avec des Fragments de* M. ROYER-COLLARD, *et une Introduction de l'Editeur.* Tomes II.—VI. 8vo. Paris: 1828-9. (Not completed.)

WE rejoice in the publication of this work,—and for two reasons. We hail it as another sign of the convalescence of philosophy, in a great and influential nation; and prize it as a seasonable testimony by intelligent foreigners, to the merits of a philosopher, whose reputation is, for the moment, under an eclipse at home.

We are pleased by the appearance of this translation of the works of Reid—in Paris—and under the auspices of so distinguished an editor as M. Jouffroy, less, certainly, as indicating the triumph of any particular system or school, than as a pledge, among many others, of the zealous, yet liberal and unexclusive, spirit with which the science of mind has of late been cultivated in France. The contrast which the present philosophical enthusiasm of France exhibits to the speculative apathy of Britain, is any thing, indeed, but flattering to ourselves. The new spirit of metaphysical enquiry, which the French imbibed from Germany and Scotland, arose with them precisely at the time when the popularity of psychological researches began to decline with us; and now, when all interest in these speculations seems here to be extinct, they are there seen flourishing in public favour, with a universality and vigour corresponding to their encouragement.

The only example that can be adduced of any interest in such subjects, recently exhibited in this country, is the favourable reception of Dr Brown's *Lectures on the Philosophy of the Mind.* This work, however, we regard as a concurrent cause of the very indifference we lament, and as a striking proof of its reality.

As a *cause;*—these lectures have certainly done much to justify the general neglect of the study they were intended to promote. Dr Brown's high reputation for metaphysical acuteness, gave a presumptive authority to any doctrine he might promulgate; and the personal relations in which he stood to Mr Stewart, afforded every assurance, that he would not revolt against that philosopher's opinions, rashly, or except on grounds that would fully vindicate his dissent. In these circumstances, what was the impression on the public mind, when all that was deemed best established,—all that was claimed as original and most important in the philosophy of Reid and Stewart, was proclaimed by their disciple and successor to be *nought but a series of misconceptions, only less wonderful in their commission than in the general acquiescence*

in their truth? Confidence was at once withdrawn from a pursuit, in which the most sagacious enquirers were thus at fault; and the few who did not relinquish the study in despair, clung with implicit faith to the revelation of the new apostle.

As a *proof*;—these lectures afford evidence of how greatly talent has, of late, been withdrawn from the field of metaphysical discussion. This work has now been before the world for ten years. In itself it combines many of the qualities calculated to attract public, and even popular, attention; while its admirers have exhausted hyperbole in its praise, and disparaged every philosophic name to exalt the reputation of its author. Yet, though attention has been thus concentred on these lectures for so long a period, and though the high ability, and higher authority, of Dr Brown, deserved, and would have recompensed, the labour; we are not aware that, with one exception,* any adequate attempt has yet been made to subject them, in whole or in part, to an enlightened and impartial criticism. The radical inconsistencies which they involve, in every branch of their subject, remain undeveloped; their unacknowledged appropriations are still lauded as original;† their endless mistakes, in the history of philosophy, stand yet uncorrected; and their frequent misrepresentations of other philosophers continue to mislead. In particular, nothing has more convinced us of the general neglect, in this country, of psychological science, than that Dr Brown's

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* We refer to Sir James Mackintosh's chapter on Dr Brown, in his late admirable *Dissertation on the Progress of Ethical Philosophy*, prefixed to the new edition of the *Encyclopædia Britannica*.

† We shall, in the sequel, afford a sample of these 'inconsistencies,' 'mistakes,' and 'misrepresentations,' of Dr Brown: to complete the cycle, and vindicate our assertion, we here adduce one specimen of the way in which discoveries have been lavished on him, in consequence of his omission (excusable in the circumstances) to advertise the reader when he was not original. Brown's doctrine of *Generalization*, is identical with that commonly taught by philosophers—not Scottish; and, among these, by authors, with whose works his lectures prove him to have been well acquainted. But if a writer, one of the best informed of those who, in this country, have of late cultivated this branch of philosophy, could, among other expressions equally encomiastic, speak of his *return* to the *vulgar* opinion, on such a point, as of '*a discovery, &c. which will, in all future ages, be regarded as one of the most important steps ever made in metaphysical science;*' how incompetent must ordinary readers be to place Brown on his proper level,—how desirable would have been a critical examination of his *Lectures* to distribute to him his own, and to estimate his property at its true value?

unmerited attack on Reid, and, through Reid, confessedly on Stewart, has not long since been repelled;—except, indeed, the general belief that it was triumphant.

In these circumstances, we felt gratified, as we said, with the present honourable testimony to the value of Dr Reid's speculations in a foreign country; and have deemed this a seasonable opportunity of expressing our own opinion on the subject, and of again vindicating, we trust, to that philosopher, the well-earned reputation of which he has been too long defrauded in his own. If we are not mistaken in our view, we shall, in fact, reverse the marvel, and retort the accusation; in proving that Dr Brown himself is guilty of that 'series of wonderful miscon-'ceptions,' of which he so confidently arraigns his predecessors.

Turpe est doctori, cum culpa redarguit ipsum.

This, however, let it be recollected, is no point of merely personal concernment. It is true, indeed, that either Reid accomplished nothing, or the science has retrograded under Brown. But the question itself regards the cardinal point of metaphysical philosophy; and its determination involves the proof or the refutation of scepticism.

The subject we have undertaken can, with difficulty, be compressed within the limits of a single article. This must stand our excuse for not, at present, noticing the valuable accompaniment to Reid's Essays on the Intellectual Powers, in the Fragments of M. Royer-Collard's Lectures, which are appended to the third and fourth volumes of the translation. A more appropriate occasion for considering these may, however, occur, when the *first* volume, containing M. Jouffroy's Introduction, appears; of which, from other specimens of his ability, we entertain no humble expectations.

'Reid,' says Dr Brown, 'considers his confutation of the ideal 'system as involving almost every thing which is truly his. 'Yet there are few circumstances connected with the fortune of 'modern philosophy, that appear to me more wonderful, than that 'a mind like Dr Reid's, so learned in the history of metaphysical 'science, should have conceived, that on this point, any great 'merit, at least any merit of originality, was justly referable to 'him particularly. Indeed, the only circumstance which appears 'to me wonderful, is, that the claim thus made by him should 'have been so readily and generally admitted.' (*Lect.* xxv. p. 155.)

Dr Brown then proceeds, at great length, to show, 1. That Reid, in his attempt to overthrow what he conceived 'the com-'mon theory of ideas,' wholly misunderstood the catholic opinion,

which was, in fact, identical with his own; and actually attributed to all philosophers 'a theory which had been universally, 'or, at least, almost universally, abandoned at the time he wrote;' and, 2. That the doctrine of perception, which Reid so absurdly fancies he had first established, affords, in truth, no better evidence of the existence of an external world, than even the long abandoned hypothesis which he had taken such idle labour to refute.

In every particular of this statement, Dr Brown is completely, and even curiously, wrong. He is out in his prelusive flourish,—out in his serious assault. Reid is neither 'so learned in the 'history of metaphysical science' as he verbally proclaims, nor so sheer an ignorant as he would really demonstrate. Estimated by aught above a very vulgar standard, Reid's knowledge of philosophical opinions was neither extensive nor exact; and Mr Stewart was himself too competent and candid a judge, not fully to acknowledge the deficiency.* But Reid's merits as a thinker are too high, and too securely established, to make it necessary to claim for his reputation an erudition to which he himself advances no pretension. And, be his learning what it may, his critic, at least, has not been able to convict him of a *single error;* while Dr Brown himself rarely opens his mouth upon the older authors, without betraying his absolute unacquaintance with the matters on which he so intrepidly discourses. Nor, as a speculator, does Reid's superiority admit, we conceive, of doubt. With all our admiration of Brown's general talent we do not hesitate to assert, that, in the points at issue between the two philosophers, to say nothing of others, he has completely misapprehended Reid's philosophy, even in its fundamental position,—the import of the sceptical reasoning,—and the significance of the only argument by which that reasoning is resisted. But, on the other hand, as Reid can only be defended on the ground of misconception, the very fact, that his great doctrine of perception could actually be reversed by so acute an intellect as Brown's, would prove that there must exist some confusion and obscurity in his own developement of that doctrine, to render such a misinterpretation possible. Nor is this presumption wrong. In truth, Reid did not generalize to himself an adequate notion of the various possible *theories of perception*, some of which he has accordingly confounded: while his error of commission in discriminating *consciousness* as a special faculty, and his error of omission in not discriminating *intuitive* from *representative* know-

* *Dissertation on the History of Metaphysical Philosophy*, Part ii. p. 197.

ledge,—a distinction without which his peculiar philosophy is naught,—have contributed to render his doctrine of the intellectual faculties prolix, vacillating, perplexed, and sometimes even contradictory.

Before proceeding to consider the doctrine of perception in relation to the points at issue between Reid and his antagonist, it is therefore necessary to disintricate the question, by relieving it of these two errors, bad in themselves, but worse in the confusion which they occasion; for, as Bacon truly observes,—*citius emergit veritas ex errore quam ex confusione.* And, first, of consciousness.

Aristotle, Descartes, Locke, and philosophers in general, have regarded consciousness, not as a particular faculty, but as the universal condition of intelligence. Reid, on the contrary, following, probably, Hutcheson, and followed by Stewart, Royer-Collard, and others, has classed consciousness as a co-ordinate faculty with the other intellectual powers; distinguished from them, not as the species from the individual, but as the individual from the individual. And as the particular faculties have each their peculiar object, so the peculiar object of consciousness is, the operations of the other faculties themselves, to the exclusion of the objects about which these operations are conversant.

This analysis we regard as false. For it is impossible, in the *first* place, to discriminate consciousness from all the other faculties, or to discriminate any one of these from consciousness; and, in the *second*, to conceive a faculty cognisant of the various mental operations, without being also cognisant of their several objects.

We know, and *We know that we know*:—these propositions, *logically* distinct, are *really* identical; each implies the other. We *know* (*i. e.* feel, perceive, imagine, remember, &c.) only as we *know that we thus know*; and we *know that we know*, only as we know in *some particular manner*, (i. e. *feel, perceive*, &c.) So true is the scholastic brocard, *Non sentimus nisi sentiamus nos sentire; non sentimus nos sentire nisi sentiamus.* The attempt to analyse the cognition *I know*, and the cognition *I know that I know*, into the separate energies of distinct faculties, is therefore vain. But this is the analysis of Reid. Consciousness, which the formula *I know that I know* adequately expresses, he views as a power specifically distinct from the various cognitive faculties comprehended under the formula *I know*, precisely as these faculties are severally contradistinguished from each other. But here the parallel does not hold. I can feel without perceiving, I can perceive without imagining, I can imagine without remembering, I can remember without judging, I can judge without willing. One of these acts does not immediately suppose the other. Though modes merely of the same indivisible subject, they are modes in *relation to each other*,

really distinct, and admit, therefore, of psychological discrimination. But can I feel without being conscious that I feel?—can I remember, without being conscious that I remember? or, can I be conscious without being conscious that I perceive, or imagine, or reason,—that I energize, in short, in some determinate mode, which Reid would view as the act of a faculty specifically different from consciousness? That this is impossible, Reid himself admits. 'Unde,' says Tertullian,—'unde ista tormenta 'cruciandæ simplicitatis et suspendendæ veritatis?—Quis mihi 'exhibebit sensum non intelligentem se sentire?' But if, on the one hand, consciousness be only realized under specific modes, and cannot therefore exist apart from the several faculties *in cumulo*; and if, on the other, these faculties can all and each only be exerted under the condition of consciousness; consciousness, consequently, is not one of the special modes into which our mental activity may be resolved, but the fundamental form—the generic condition, of them all. Every intelligent act is thus a modified consciousness; and consciousness a comprehensive term for the complement of our intellectual energies.

But the defect of Dr Reid's analysis is further manifested in his arbitrary limitation of the sphere of consciousness; proposing to it the various intellectual operations, but excluding their objects. 'I am conscious,' he says, 'of perception, but not of the object 'I perceive; I am conscious of memory, but not of the object I 'remember.'

The reduction of consciousness to a particular faculty entailed this limitation. For, once admitting consciousness to be cognisant of *objects* as of *operations*, Reid could not, without absurdity, degrade it to the level of a special power. For thus, in the *first* place, consciousness coextensive with *all* our cognitive faculties, would yet be made co-ordinate with *each*: and, in the *second*, two faculties would be supposed to be simultaneously exercised about the same object, to the same intent.

But the alternative which Reid has chosen is almost equally untenable. The assertion, that we can be conscious of an act of knowledge, without being conscious of its object, is virtually suicidal. A mental operation is only what it is, by relation to its object; the object at once determining its existence, and specifying the character of its existence. But if a relation cannot be comprehended in one of its terms, so we cannot be conscious of an operation, without being conscious of the object to which it exists only as correlative. For example, We are conscious of a perception, says Reid, but are not conscious of its object. Yet how can we be conscious of a *perception*, that is, how can we *know* that a perception exists—that it is a perception, and not another mental state—and that it is the perception of a

rose, and of nothing but a rose; unless this *consciousness* involve a knowledge (or consciousness) of the object, which at once determines the existence of the act—specifies its kind—and distinguishes its individuality? Annihilate the object, you annihilate the operation; annihilate the consciousness of the object, you annihilate the consciousness of the operation. In the greater number indeed of our intellectual energies, the two terms of the relation of knowledge exist only as identical; the object admitting only of a logical discrimination from the subject. I imagine a Hippogryph. The Hippogryph is at once the object of the act and the act itself. Abstract the one, the other has no existence: deny me the consciousness of the Hippogryph, you deny me the consciousness of the imagination; I am conscious of zero; I am not conscious at all.

A difficulty may here be started in regard to two faculties,—Memory and Perception.

Memory is defined by Reid 'an *immediate* knowledge of the '*past*;' and is thus distinguished from consciousness, which, with all philosophers, he views as 'an *immediate* knowledge of the *pre-*'*sent.*' We may therefore be conscious of the act of memory *as present*, but of its object *as past*, consciousness is impossible. And certainly, if Reid's definition of memory be admitted, this inference cannot be disallowed. But memory is not an immediate knowledge of the past; an *immediate knowledge of the past* is a contradiction in terms. This is manifest, whether we look from the act to the object, or from the object to the act. To be known *immediately*, an object must be known *in itself;* to be known in itself, it must be known as actual, now existent, *present*. But the object of memory is *past*—not present, not now existent, not actual; it cannot therefore be known in itself. If known at all, it must be known in something different from itself; i. e. *mediately;* and memory as an '*immediate knowledge of the past*,' is thus impossible. Again: memory is an act of knowledge; an act exists only as present; and a present knowledge can be immediately cognisant only of a present object. But the object known in memory is *past;* consequently, either memory is not an *act* of knowledge at all, or the object immediately known is present; and the past, if known, is known only through the *medium* of the *present;* on either alternative memory is not 'an *immediate* knowledge of 'the *past.*' Thus, memory, like our other faculties, affords only an immediate knowledge of the present; and, like them, is nothing more than consciousness variously modified.*

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* The only parallel we know to this misconception of Reid's is the opinion on which Fromondus animadverts. 'In primis displicet nobis

In regard to perception: Reid allows an immediate knowledge of the affections of the subject of thought, mind, or self, and an immediate knowledge of the qualities of an object really different from self—*matter*. To the former, he gives the name of consciousness, to the latter, that of perception. Is consciousness, as an immediate knowledge, *purely subjective*, not to be discriminated from perception, as an immediate knowledge, *really objective?* A logical difference we admit; a psychological we deny.

Relatives are known only together: the science of contraries is one. Subject and object, mind and matter, are known only in correlation and contrast—and in the same common act; while knowledge, as at once a synthesis and an antithesis of both, may be indifferently defined an antithetic synthesis, or a synthetic antithesis of its terms. Every conception of self, necessarily involves a conception of not-self: every perception of what is different from me, implies a recognition of the percipient subject in contradistinction from the object perceived. In one act of knowledge, indeed, the object is the prominent element, in another the subject; but there is none in which either is known out of relation to the other. The immediate knowledge which Reid allows of things different from the mind, and the immediate knowledge of mind itself, cannot therefore be split into two distinct acts. In perception, as in the other faculties, the same indivisible consciousness is conversant about both terms of the relation of knowledge. Distinguish the cognition of the subject from the cognition of the object of perception, and you *either* annihilate the relation of knowledge itself, which exists only in its terms being comprehended together in the unity of consciousness; *or* you may postulate a higher faculty, which shall again reduce to one, the two cognitions you have distinguished;—that is, you are at last compelled to admit, in an unphilosophical complexity, that common consciousness of subject and object, which you set out with denying in its philosophical simplicity. *Consciousness* and *immediate knowledge* are thus terms universally conver-

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plurimorum recentiorum philosophia, qui sensuum interiorum operationes, ut phantasiationem, memorationem, et reminiscentiam, circa imagines recenter, aut olim spiritibus vel cerebro impressas, versari negant; *sed proxime circa objecta quæ foris sunt.* Ut cum quis meminit se vidisse leporem currentem, memoria, inquiunt, non intuetur et attingit imaginem leporis in cerebro asservatam, sed *solum leporem ipsum* qui cursu *trajiciebat* campum, &c. &c.' (*Philosophia Christiana de Anima.* Lovanii, 1649. L. iii. c. 8. art. 8.) Who the advocates of this opinion were, we are ignorant; but more than suspect that, *as stated*, it is only a misrepresentation of the Cartesian doctrine, then on the ascendant.

tible; and if there be an immediate knowledge of things external, there is consequently the *consciousness of an outer world.**

Reid's erroneous analysis of consciousness is not perhaps of so much importance in itself, as from causing confusion in its consequences. Had he employed this term as tantamount to immediate knowledge in general, whether of self or not, and thus *distinctly expressed* what he *certainly taught*, that mind and matter are both equally known to us *as existent and in themselves*; Dr Brown could hardly have so far misconceived his doctrine, as actually to lend him the very opinion which his whole philosophy was intended to refute, viz. that an *immediate*, and consequently a *real*, knowledge of external things is impossible. But this by anticipation.

This leads us to the *second* error,—the non-distinction of representative from intuitive knowledge. The reduction of consciousness to a special faculty involved this confusion. For had Reid perceived that all our faculties are only consciousness, and that consciousness as an immediate knowledge is only of the present and actual, he would also have discovered that the *past* and *possible*, either could not be known to us at all, or could be known only *in* and *through* the present and actual, i. e. *mediately*.

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* How correctly Aristotle reasoned on this subject, may be seen from the following passage:—'when we perceive' (*αἰσθανόμεθα*—the Greeks, perhaps fortunately, had no special term for *consciousness*;)—'when we perceive that we see, hear, &c. it is necessary, that by sight itself we perceive that we see, or by another sense. If by another sense, then this also must be a sense of sight, conversant equally about the object of sight, colour. Consequently, there must either be two senses of the same object, or every sense must be percipient of itself. Moreover, if the sense percipient of sight be different from sight itself, it follows either that there is a regress to infinity, or we must admit, at last, some sense percipient of itself; but if so, it is more reasonable to admit this in the original sense at once.' (*De Anima*, L. iii. c. 2. text. 136.) Here Aristotle ought not to be supposed to mean that every sense is an independent faculty of perception, and, as such, conscious of itself. Compare *De Som. et Vig.* c. 2. and *Probl.* (if indeed his) sect. xi. § 33. His older commentators—Alexander, Themistius, Simplicius—follow their master. Michael Ephesius and Philoponus desert his doctrine, and attribute this self-consciousness to a peculiar faculty which they call attention (*τὸ προσεκτικόν*.) This is the earliest example we know of this false analysis, which, when carried to its last absurdity, has given us *consciousness*, and *attention*, and *reflection*, as distinct powers. Of the schoolmen, *satius est silere, quam parum dicere.* Nemesius,—and Plutarch, preserved by Philoponus, accord this reflex consciousness to *intellect* as opposed to *sense*. Plato varies in his Theætetus and Charmides.

But a mediate knowledge is necessarily a *representative* knowledge. For if the present, or actual *in* itself, makes known to us the past and possible *through* itself, this can only be done by a vicarious substitution or representation. And as the knowledge of the *past* is given in *memory*, and that of the *possible* in *imagination*, these two faculties are powers of representative knowledge. Memory is an immediate knowledge of a *present* thought, involving an absolute belief that this thought represents another act of knowledge that *has been*. Imagination (which we use in its widest signification, to include conception and simple apprehension) is an immediate knowledge of an *actual* thought, which, as not self contradictory, (*i. e.* logically possible,) involves the hypothetical belief that it *may be* (*i. e.* is really possible.)

Nor is philosophy here at variance with nature. The learned and unlearned agree, that in memory and imagination, nought of which we are conscious lies beyond the sphere of self, and that in these acts the object known is only relative to a reality supposed to be. Nothing but Reid's superstitious horror of the ideal theory, could have blinded him so far, as not to see that these faculties are, of necessity, mediate and representative. In this, however, he not only overshot the truth, but almost frustrated his whole philosophy. For, he thus affords a ground—and the only ground, *though not perceived* by Brown—on which it could be argued that his doctrine of perception was *not intuitive*. For if he rejected the doctrine of ideas not less in memory and imagination, which *must* be representative faculties, than in perception, which *may* be intuitive; and if he predicates *immediate knowledge* equally of all,—it may plausibly be contended, in favour of Brown's conclusion, that Reid did not really intend to allow a proper intuitive perception, and that he only abusively gave the name of immediate knowledge to the simplest form of the representative theory, in contradistinction to the more complex. But this also by anticipation.

There exists, therefore, a distinction of knowledge, as immediate or intuitive, and as mediate or representative. The former is logically *simple*, as only contemplative: the latter logically complex; as both representative, and contemplative of the representation. In the one, the *object is single*, and the word univocal; in the other it is double, and the term æquivocal; the object known and representing, being different from the object unknown and represented. The knowledge in an intuitive act, as convertible with existence, is *assertory;* and the reality of its only object is given unconditionally, as a *fact:* the knowledge in a representative act, as not convertible with existence, is *problematical;* and the reality of its principal object is given hypo-

thetically, as an *inference*. Representative knowledge is purely *subjective*, for its object known is always *ideal*; intuitive may either be subjective or objective, for its object may either be ideal or material. Considered in *themselves*, an intuitive cognition is complete, as absolute and irrespective of aught beyond the compass of knowledge: a representative incomplete, as relative to a transcendent something, beyond the sphere of consciousness. Considered in relation to their *objects*, the former is complete; its object being known and real; the latter incomplete, its object known, being unreal, and its real object unknown. Considered in relation to *each other*, immediate knowledge is complete, as all sufficient in itself; mediate incomplete, as realized only through the other.*

So far there is no difficulty, or ought to have been none. The past and possible can only be known mediately by representation. But a more arduous, at least a more perplexed, question arises, when we ask,—Is all knowledge of the present or actual intuitive? *Is the knowledge of mind and matter equally immediate?*

In regard to the immediate knowledge of mind, there is *now* at least no difficulty; it is admitted not to be representative. The problem, therefore, exclusively regards the intuitive perception of the qualities of matter.

(To obviate misapprehension, we may here parenthetically observe, that all we *do* intuitively know of self,—all that we *may* intuitively know of not-self, is only *relative*. Existence *absolutely and in itself*, is to us as zero; and while nothing *is*, so nothing is *known* to us, except those phases of being which stand in analogy to our faculties of knowledge. These we call *qualities*. When we say, therefore, that a thing is *known in itself*, we mean

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* This distinction of intuitive and representative knowledge, overlooked, or rather abolished, in the theories of modern philosophy, is correspondent to the division of knowledge by certain of the schoolmen, into *intuitive* and *abstractive*. By the latter term, they *also* expressed *abstract* knowledge in its present signification.—'Cognitio *intuitiva*,' says the *Doctor Resolutissimus*, 'est illa quæ immediate tendit ad rem sibi *præsentem* objective, *secundum ejus actualem existentiam*: sicut cum video colorem existentem in pariete, vel rosam, quam in manu teneo. *Abstractiva*, dicitur omnis cognitio, quæ habetur de re *non sic realiter præsente* in ratione objecti *immediate* cogniti.' Now, when with a knowledge of this distinction of which Reid was ignorant, and rejecting equally with him not only species, but a representative perception, we say that many of the schoolmen have, in this respect, left behind them all modern philosophers; we assert a paradox, but one which we are easily able to prove. Leibnitz spoke truly, when he said—*aurum latere in stercore illo scholastico barbariei.*

only, that it stands face to face, in direct and immediate relation to the conscious mind; in other words, that, *as existing*, it forms part of the circle of our knowledge—exists, *since* it is known, and is known, *because* it exists.)

If we interrogate consciousness concerning the point in question, the response is categorical and clear. When I concentrate my attention in the simplest act of perception, I return from my observation with the most irresistible conviction of *two* facts, or rather, two branches of the *same* fact;—that *I am*,—and that *something different from me exists*. In this act, I am conscious of myself as the perceiving subject, and of an external reality as the object perceived; and I am conscious of both existences in the same indivisible moment of intuition. The knowledge of the subject does not precede nor follow the knowledge of the object; —neither determines, neither is determined by, the other. The two terms of correlation stand in mutual counterpoise and equal independence; they are given as connected in the synthesis of knowledge, but as contrasted in the antithesis of existence.

Such is the fact of perception revealed in consciousness, and as it determines mankind in general in their equal assurance of the reality of an external world, as of the existence of their own minds. *Consciousness declares our knowledge of material qualities to be intuitive.* Nor is the fact, *as given*, denied even by those who disallow its truth. So clear is the deliverance, that even the philosophers who reject an intuitive perception, find it impossible not to admit, that their doctrine stands decidedly opposed to the voice of consciousness and the natural conviction of mankind. (*v. infra*, p. 201, note.)

According as the truth of the fact of consciousness in perception is *entirely* accepted, accepted *in part*, or *wholly* rejected, *six* possible and actual systems of philosophy result.

1. If the veracity of consciousness be unconditionally admitted, —if the intuitive knowledge of mind and matter, and the consequent reality of their antithesis be taken as truths, to be explained if possible, but in themselves are held as paramount to all doubt, the doctrine is established which we would call the scheme of *Natural Realism* or *Natural Dualism*. 2. If the veracity of consciousness be allowed to the equipoise of the object and subject in the act, but rejected as to the reality of their antithesis, the system of *Absolute Identity* emerges, which reduces both mind and matter to phænomenal modifications of the same common substance. 3 and 4. If the testimony of consciousness be refused to the co-originality and reciprocal independence of the subject and object, two schemes are determined, according as the one or the other of the terms is placed as the original and genetic. Is the

object educed from the subject, *Idealism;* is the subject educed from the object, *Materialism*, is the result. 5. Again, is the consciousness itself recognised only as a phænomenon, and the substantial reality of both subject and object denied, the issue is *Nihilism.*

6. These systems are all conclusions from an original interpretation of the fact of consciousness in perception, carried intrepidly forth to its legitimate issue. But there is one scheme, which, violating the integrity of this fact, and, with the idealist, regarding the object of consciousness in perception as only a modification of the percipient subject, endeavours, however, to stop short of the negation of an external world, the reality of which, and the knowledge of whose reality, it seeks by various hypotheses, to establish and explain. This scheme, which we would term *Hypothetical Realism* or *Hypothetical Dualism*, although the most inconsequent of all systems, has been embraced, under various forms, by the immense majority of philosophers.

Of these systems, Dr Brown adheres to the last. He holds that the mind *is conscious or immediately cognisant of nothing beyond its subjective states;* but he assumes the existence of an external world beyond the sphere of consciousness, exclusively on the ground of our irresistible belief in its unknown reality. Independent of this belief, there is no reasoning on which the existence of matter can be vindicated; the logic of the idealist he admits to be unassailable.

But Brown not only embraces the scheme of hypothetical realism himself, he never suspects that Reid entertained any other doctrine. Brown's transmutation of Reid from a *natural* to a *hypothetical* realist, as a misconception of the grand and distinctive tenet of a school, by one even of its disciples, is without a parallel in the whole history of philosophy: and this portentous error is prolific; *chimæra chimæram parit.* Were the evidence of the mistake less unambiguous, we should be disposed rather to question our own perspicacity, than to tax so subtle an intellect with so gross a blunder.

Before establishing against his antagonist the true opinion of Reid, it will be proper first to generalize the possible forms, under which the hypothesis of a representative perception can be realized, as a confusion of some of these as actually held, on the part both of Reid and Brown, has tended to introduce no small confusion into the discussion.

The hypothetical realist contends, that he is wholly ignorant of *things in themselves*, and that these are known to him, only through a vicarious phænomenon, of which he is conscious in perception.

—*Rerum*que ignarus, *imagine* gaudet

Now this vicarious phænomenon, or immediate object must *either* be numerically different from the percipient intellect, *or* a modification of that intellect itself. If the latter, it must, again, *either* be a modification of the thinking substance, with a transcendent existence beyond the act of thought, *or* a modification identical with the act of perception itself.

All possible forms of the representative hypothesis are thus reduced to three, and these have all been actually maintained.

1. *The representative object not a modification of mind.*

2. *The representative object a modification of mind, dependent for its knowledge, but not for its existence, on the act of consciousness.*

3. *The representative object a modification of mind, non-existent out of consciousness;—the idea and its perception only different relations of an act (state) really identical.*

In the first, the various opinions touching the nature and origin of the representative object; whether material, immaterial, or between both—whether physical or hyperphysical; whether propagated from the external object or generated in the medium; whether fabricated by the intelligent soul or in the animal life; whether infused by God, or angels, or identical with the divine substance—afford in the history of philosophy so many subordinate modifications of this form of the hypothesis. In the two latter, the subaltern theories have been determined by the difficulty to connect the representation with the reality, in a relation of causal dependence; and while some philosophers have left it altogether unexplained, the others have been compelled to resort to the hyperphysical theories of divine assistance and a pre-established harmony. Under the second, opinions have varied, whether the representative object be innate or factitious.

The third of these forms of representation Reid does not seem to have understood. The illusion which made him view, in his doctrine, memory and imagination as powers of *immediate* knowledge, though only *representative* faculties under the *third* form, has, in the history of opinions regarding perception, puzzled him, as we shall see in his exposition of the doctrine of Arnauld. He was not aware that there was a theory, neither identical with his intuitive perception, nor with the first and second forms of the representative hypothesis; with both of which he was sufficiently acquainted. Dr Brown, on the contrary, who adopts the third and simplest modification of the hypothesis, appears ignorant of its discrimination from the second, and accordingly views the philosophers who held this latter form, as not distinguished in opinion from himself. Of the doctrine of *intuition* he does seem almost to have conceived the possibility.

These being premised, we proceed to consider the greatest of all Brown's errors, in itself and in its consequences,—his misconception of the cardinal position of Reid's philosophy, in supposing that philosopher, as a *hypothetical* realist, to hold with himself the third form of the *representative* hypothesis, and not, as a *natural* realist, the doctrine of an *intuitive* perception. We are compelled to be brief; and to complete the evidence of the following proof (if more indeed be required,) we must beg our readers, interested in the question, to look up the passages, to which we are able only to refer.

In the *first* place, *knowledge* and *existence* are then only convertible when the reality is known *in itself;* for then only can we say, that it is known *because* it exists, and exists *since* it is known. And this constitutes an *immediate* or *intuitive* cognition rigorously so called. Nor did Reid contemplate any other. 'It seems admitted,' he says 'as a first principle, by the learned and the unlearned, that *what is really perceived must exist,* and that to *perceive what does not exist is impossible.* So far the unlearned man and the philosopher agree.'—(*Essays on the Intellectual Powers,* p. 142.)

In the *second* place, philosophers agree, that the *idea* or representative object in their theory, is in the strictest sense *immediately perceived.* And so Reid understands them. 'I perceive not,' says the Cartesian, 'the external object itself; (so far he agrees with the Peripatetic, and *differs from the unlearned man;*) but I perceive an image, or form, or idea, in my own mind, or in my brain. *I am certain of the existence of the idea; because I immediately perceive it.*' (L. c.)

In the *third* place, philosophers concur in acknowledging, that mankind at large believe, that the *external reality itself* constitutes the *immediate and only object of perception.* So also Reid. 'On the same principle, the unlearned man says, *I perceive the external object,* and *I perceive it to exist.*' (L. c.)—'The vulgar undoubtedly believe, that it is the *external object* which we *immediately perceive,* and not a representative image of it only. It is *for this reason,* that they look upon it as *perfect lunacy to call in question the existence of external objects.*' (L. c.)—'The vulgar are firmly persuaded, that the *very identical objects which they perceive* continue to exist when they do not perceive them; and are no less firmly persuaded, that when ten men look at the sun or the moon they all see the *same individual object.*' (P. 166.)—Speaking of Berkeley, 'The vulgar opinion he reduces to this, that the *very things which we perceive* by our senses do *really exist.* This he *grants.*' (P. 165.)—'It is therefore acknowledged by this philosopher' (Hume) 'to be a natural instinct or prepossession,

'an universal and primary opinion of all men, that the objects 'which we *immediately perceive*, by our senses, are *not images in* 'our minds, but *external objects*, and that their existence is inde- 'pendent of us and our perception.' (P. 201. See also pp. 143, 198, 199, 200, 206.)

In these circumstances, if Reid, either 1,—maintains, that his immediate perception of external things is convertible with their reality; or 2,—asserts that, in his doctrine of perception, the external reality stands, to the percipient mind, face to face, in the same immediacy of relation which the idea holds in the representative theory of the philosophers; or 3,—declares the identity of his own opinion with the vulgar belief, as thus expounded by himself and the philosophers;—he could not more emphatically proclaim himself a *natural realist*, or more clearly illustrate his doctrine of perception, *to be a doctrine of intuition*. And he does *all three*.

The first and second.—'We have before examined the reasons 'given by philosophers to prove that ideas, and not external ob- 'jects, are the immediate objects of perception. We shall only 'here observe, THAT IF EXTERNAL OBJECTS BE PERCEIVED IM- 'MEDIATELY,' [and he had just before asserted for the hundredth time that they were so perceived] 'WE HAVE THE SAME REASON 'TO BELIEVE THEIR EXISTENCE, AS PHILOSOPHERS HAVE TO BE- 'LIEVE THE EXISTENCE OF IDEAS, WHILE THEY HOLD THEM TO 'BE THE IMMEDIATE OBJECTS OF PERCEPTION.' (P. 589. See also pp. 118, 138.)

The third.—Speaking of the perception of the external world— 'We have here a remarkable conflict between two contradictory 'opinions, wherein all mankind are engaged. On the one side 'stand *all the vulgar*, who are unpractised in philosophical re- 'searches, and guided by the uncorrupted primary instincts of 'nature. On the other side, stand *all the philosophers, ancient* 'and modern; every man, without exception, who reflects. IN THIS 'DIVISION, TO MY GREAT HUMILIATION, I FIND MYSELF CLASSED 'WITH THE VULGAR.' (P. 207.)

Various other proofs of the same conclusion, could be adduced; these for brevity we omit. Brown's interpretation of the fundamental tenet of Reid's philosophy, is therefore, not a simple misconception, but an absolute reversal of its real and even unambiguous import.

But the ground, on which Brown vindicates his interpretation, is not unworthy of the interpretation itself. The possibility of an intuition beyond the sphere of self, he can hardly be said to have contemplated; but on one occasion, Reid's language seems, for a moment, to have actually suggested to him the ques-

tion—Might that philosopher not possibly regard the material object, as identical with the object of consciousness in perception?—On what ground does he reject the affirmative as absurd? His reasoning is to this effect: *To assert an intuitive perception of matter, is to assert an identity of matter and mind; (for an immediacy of knowledge is convertible with a unity of existence.) But Reid was a sturdy dualist: Therefore, he could not maintain an immediate perception of the qualities of matter.* (*Lect.* xxv. pp. 159, 160.) In this syllogism, the major is a mere *petitio principii*, which Brown has not attempted to prove; and which, as tried by the standard of all philosophical truth, is not only false, but even the converse of the truth; while, admitting its accuracy, it cannot be so connected with the minor, as to legitimate the conclusion.

If we appeal to consciousness, consciousness gives, even in the last analysis—in the unity of knowledge, a *duality of existence;* and peremptorily falsifies Brown's assumption that *not-self as known, is identical with self as knowing.* Reid therefore, as a dualist, and on the supreme authority of consciousness, might safely maintain the immediacy of perception;—nay, as a dualist Reid *could not*, consistently, have adopted the opinion which Brown argues, that, as a dualist, he *must* be regarded to have held. Mind and matter exist to us only in their qualities; and these qualities exist to us only as they are known by us—*i. e.* as phænomena. It is thus only from *knowledge* that we can infer *existence*, and only from the supposed repugnance or compatibility of *phænomena*, within our experience, are we able to ascend to the transcendent difference or identity of *substances.* Now, on the hypothesis that all we immediately know, is only a state or modification or quality or phænomenon of the cognitive subject itself,—how can we contend, that the phænomena of mind and matter, *known* only as modifications of the *same*, must *be* the modifications of *different substances;*—nay, that only on this hypothesis of their substantial unity in knowledge, can their substantial duality in existence be maintained? But of this again.

Brown's assumption has no better foundation than the exaggeration of a crotchet of philosophers; which, though contrary to the evidence of consciousness, and consequently not only *without* but *against* all evidence, has yet exerted a more extensive and important influence, than any principle in the whole history of philosophy. This subject deserves a volume; we can only afford it a few sentences.—Some philosophers (as Anaxagoras, Heraclitus, Alcmæon) maintained that knowledge implied a contrariety of subject and object. But since the time of Empedocles, no opinion has been more universally admitted, than

that the *relation of knowledge* inferred the *analogy of existence.* This analogy may be supposed in two potences. What knows and what is known, are either, 1, *similar*, or, 2, the *same*; and if the general principle be true, the latter is the more philosophical. This principle immediately determined the whole doctrine of a representative perception: its lower potence is seen in the *intentional species* of the schools; its higher in the *gnostic reasons* of the Platonists, in the *pre-existing species* of Avicenna and the Arabians, in the *ideas* of Descartes and Leibnitz, and in the *external states* of Dr Brown. It mediately determined the hierarchical gradation of faculties or souls of the Aristotelians,—the vehicular media of the Platonists,—the theories of a common intellect of Alexander, Themistius, Averroes, Cajetanus, and Zabarella,—the vision in the deity of Mallebranche,—and the Cartesian and Leibnitzian doctrines of assistance and predetermined harmony. To no other origin is to be ascribed the refusal of the fact of consciousness in its primitive duality; and the unitarian systems of identity, materialism, idealism, are the result. But however universal and omnipotent this principle may have been, Reid was at once too ignorant of opinions, to be much in danger from authority, and too independent a thinker, to accept so baseless a fancy as a fact. 'Mr Norris,' says he, 'is the 'only author I have met with who professedly puts the question, 'Whether material things can be perceived by us *immediately?* 'He has offered four arguments to show that they cannot. First, 'Material objects are without the mind, and therefore there can 'be no *univn* between the object and the percipient. Answer— 'This argument is lame, until it is shown to be necessary, that in 'perception there should be an union between the object and the 'percipient. Second, *Material objects are disproportioned to the 'mind, and removed from it by the whole diameter of Being.*—This 'argument I cannot answer, because *I do not understand it.*' (*Essays*, p. 202.)

The principle, that the relation of knowledge implies an analogy of existence, admitted without examination in almost every school, but which Reid, with an ignorance wiser than knowledge, confesses he does not understand; is nothing more than an irrational attempt to explain, what is, in itself, inexplicable. How the similar or the same is conscious of itself, is not a whit less inconceivable, than how one contrary is immediately percipient of another. It at best only removes our admitted ignorance by one step back; and then, in place of our knowledge simply originating from the *incomprehensible*, it ostentatiously departs from the *absurd.*

The slightest criticism is sufficient to manifest the futility of

that hypothesis of representation, which Brown would substitute for Reid's intuitive perception;—although this hypothesis, under various modifications, be almost coextensive with the history of philosophy. In fact, it fulfils none of the conditions of a *legitimate* hypothesis.

In the *first* place, it is *unnecessary*. It cannot show, that the fact of an intuitive perception, as given in consciousness, ought not to be accepted; it is unable therefore to vindicate its own necessity, in order to explain the possibility of our knowledge of external things. That we cannot illustrate *how* the mind is capable of knowing something different from self, is no reason to doubt *that* it is so capable. Every *how* (διότι) rests ultimately on a *that* (ὅτι); every demonstration is deduced from something *given* and *indemonstrable*; all that is comprehensible, hangs from some *revealed fact* which we *must believe as actual*, but *cannot construe to the reflective intellect in its possibility*. In consciousness, as the original spontaneity of reason (νοῦς, *locus principiorum*), are revealed the primordial facts of our intelligent nature. Consciousness is the fountain of all comprehensibility and illustration; but, *as such*, cannot be itself illustrated or comprehended. To ask how any fact of consciousness is possible, is to ask how consciousness itself is possible; and to ask how consciousness is possible, is to ask how a being intelligent like man is possible. Could we answer this, the Serpent had not tempted Eve by an hyperbole: 'we should be as Gods.' But as we did not create ourselves, and are not even in the secret of our creation; we must take our existence, our knowledge *upon trust*: and that philosophy is the only true, because in it alone *can* truth be realised, which does not revolt against the *authority* of our natural *beliefs*.

'The voice of Nature is the voice of God.'

To ask, therefore, a *reason* for the possibility of our intuition of external things, above the *fact* of its reality, as given in our perceptive consciousness, betrays, as Aristotle has truly said, an *imbecility of the reasoning principle itself*: τούτου ζητεῖν λόγον, ἀφέντας τὴν αἴσθησιν, ἀῤῥωστία τίς ἐςι διανοίας. The natural realist, who accepts this intuition, cannot explain it, because, as ultimate, it is a fact inexplicable.

'He knows *what's what*, and that's as high
As metaphysic wit can fly.'

But the hypothetical realist, who rejects a consciousness of aught beyond the mind, cannot require of him an explanation of how such a consciousness is possible, until he himself shall have ex-

plained what is even less conceivable, the possibility of *representing* (i. e. *of knowing*) *the unknown*. Till then, each founds on the *incomprehensible;* but the former admits the veracity, the latter the falsehood of that principle, which can alone confer on this incomprehensible foundation the character of truth. The natural realist, whose watchword is—*The fact of consciousness, the whole facts, and nothing but the facts*, has therefore nought to fear from his antagonist, so long as consciousness cannot be explained or redargued from without. If his system is to fall, it falls only with philosophy; for it can only be disproved, by proving the mendacity of consciousness,

'Quæ nisi sit veri, ratio quoque falsa fit omnis.'

This leads us to the *second* violation of the laws of a legitimate hypothesis;—the doctrine of a representative perception *annihilates itself*, in subverting the universal edifice of knowledge. Belying the testimony of consciousness to our immediate perception of an outer world, it belies the veracity of consciousness altogether. But the truth of consciousness, is the condition of the possibility of all knowledge. The first act of hypothetical realism, is thus an act of suicide; philosophy, thereafter, is only an enchanted corpse, which awaits but the exorcism of the sceptic, to relapse into its nothingness. But of this we shall have occasion to treat at large, in exposing Brown's misprision of the argument from common sense.

In the *third* place it is the condition of a legitimate hypothesis, that the *fact or facts* for which it is excogitated to account, be not *themselves hypothetical*. But so far is the principal fact which the hypothesis of a representative perception is proposed to explain, from being certain; its reality is even rendered problematical by the proposed explanation itself. The facts, about which this hypothesis is conversant, are two;—the fact of the *mental modification*, and the fact of the *material reality*. The problem to be solved is their connection; and the hypothesis of *representation* is advanced, as the ratio of their correlation, in supposing that the former *as known* is vicarious of the latter *as existing*. There is however here a see-saw between the hypothesis and the fact: the fact is assumed as an hypothesis; the hypothesis explained as a fact; each is established, each is expounded, by the other. To account for the possibility of an unknown external world, the hypothesis of representation is devised; and to account for the possibility of representation, we imagine the hypothesis of an external world. Nothing could be more easy than to demonstrate, that on this hypothesis, the fact of the external reality is not only petitory but improbable. This, how-

ever, we are relieved from doing, by Dr Brown's own admission, that '*the sceptical argument for the non-existence of an external world, as a mere play of reasoning, admits of no reply*;' and we shall afterwards prove that the only ground on which he attempts to vindicate this existence—the ground of our natural belief in its reality—is one, that is not competent to the hypothetical realist. We shall see, that if this belief be true, the *hypothesis* itself is superseded;—if false, that there is no *fact* for the hypothesis to explain.

In the *fourth* place, a legitimate hypothesis must account for the phænomenon, about which it is conversant, adequately and without violence, in all its dependencies, relations, and peculiarities. But the hypothesis in question, only accomplishes its end,—nay only vindicates its utility, by a mutilation, or, more properly, by the *destruction and re-creation*, of the very phænomenon for the reality of which it should account. The *entire* phænomenon to be explained by the supposition of a representative perception, is the fact, given in consciousness, of *the immediate knowledge or intuition of an existence different from self*. This simple phænomenon it hews down into two fragments;—into the *existence* and the *intuition*. The existence of external things, which is given only *through* their intuition, it admits; the intuition itself, though the *ratio cognoscendi*, and *to us* therefore the *ratio essendi* of their reality, it rejects. But to annihilate what is prior and constitutive in the phænomenon, is, in truth, to annihilate the phænomenon altogether. The existence of an external world, which the hypothesis proposes to explain, is no longer even a truncated fact of consciousness; for the *existence given in consciousness*, necessarily fell with the intuition on which it reposed. A representative perception, is therefore, an hypothetical explanation of a *suppositious* fact: it creates the nature it interprets. And in this respect, of all the varieties of the representative hypothesis, the *third*, or that which views in the object known a modification of thought itself, most violently outrages the phænomenon of consciousness it would explain. And this is Brown's. The *first*, saves the phænomenon of consciousness in so far as it preserves always the numerical, if not always the substantial, difference between the object perceived and the percipient *mind*. The *second*, does not violate at least the antithesis of the object perceived and the percipient *act*. But in the simplest form of representation, not only is the object known, denied to be itself the reality existing, as consciousness attests;—this object revealed as not-self, is identified with the mental *ego*;—nay, even, though given as permanent, with the transient energy of thought itself.

In the *fifth* place, the *fact*, which a legitimate hypothesis is devised to explain, *must be within the sphere of experience*. The

fact, however, for which that of a representative perception accounts, (the existence of external things), transcends *ex hypothesi* all experience,—is the object of no knowledge, is a bare *ens rationis*—a mere hyperphysical chimæra.

In the *sixth* and last place, an *hypothesis itself* is probable *in proportion as it works simply and naturally;* that is in proportion as it is dependent on no subsidiary hypothesis—as it involves nothing, petitory, occult, supernatural, as an element of its explanation. In this respect, the doctrine of a representative perception is not less vicious than in others: to explain at all it must not only postulate subsidiary hypotheses, but subsidiary miracles. The doctrine in question attempts to explain the *knowledge of an unknown world,* by the ratio of a representative perception: but it is impossible by any conceivable relation, to apply the ratio to the facts.—The mental modification, of which, on the doctrine of representation, we are exclusively conscious in perception, either *represents* (*i. e.* affords a mediate knowledge of) the reality * of an external world, or it does not. The latter alternative is an affirmation of Idealism; we have therefore at present only to consider the former. Now, the mind either *knows* the reality of what it represents, or it does not. On the former alternative the hypothesis under discussion would annihilate itself, in annihilating the ground of its utility. For as the *end* of representation is knowledge; and as the hypothesis of a representative perception is only required on the supposed impossibility of that intuitive knowledge of external things which consciousness affirms;—if the mind be admitted to be cognisant of the outer reality in itself, previous to representation, the *end* towards which the hypothesis was devised as a *mean,* has been already accomplished; and the possibility of an intuitive perception, as given in consciousness, is allowed. Nor is the hypothesis thus only absurd, as superfluous. The mind would be supposed to *know before it knew;* and like the crazy Pentheus to *see its objects double*—

(Et solem geminum et duplices se ostendere Thebas):

—or, the *identity* of *mind and self*—of *consciousness and knowledge,* is abolished; and *my intellect* knows, what *I* am not conscious of it knowing. The other alternative remains—that the mind is *blindly* determined to *represent,* and *truly* to represent, the reality it does not know. And here the mind either

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* We say only the *reality;* to include all systems from Kant's which does not predicate even an existence in *space* and *time* of *things in themselves,* to Locke's; who supposes the transcendent reality to resemble its idea, at least in the *primary qualities.*

blindly *determines itself*, or is *blindly determined by an extrinsic and intelligent cause.* The former lemma is the more philosophical, in so far as it assumes nothing hyperphysical; but it is otherwise utterly irrational, in as much as it would explain an effect, by a cause wholly inadequate to its production. On this alternative, knowledge is supposed to be the effect of ignorance, —intelligence of stupidity,—life of death. We are necessarily ignorant, indeed, of the mode in which causation operates; but we know at least, that no effect arises without a cause—and a cause proportionate to its existence. The absurdity of this supposition has accordingly constrained the profoundest hypothetical realists, notwithstanding their rational abhorrence of a supernatural assumption, to embrace the second alternative. To say nothing of less illustrious schemes, the systems of Divine Assistance, of a Pre-established Harmony, and of the Vision of all things in the Deity, are only so many subsidiary hypotheses,—so many attempts to bridge, by supernatural machinery, the chasm between the *representation* and the *reality*, which all human ingenuity had found, by natural means, to be insuperable. The hypothesis of a representative perception, thus presupposes a *miracle* to let it work. Dr Brown, indeed, rejects as unphilosophical, those hyperphysical subsidies. But he only saw less clearly than their illustrious authors, the necessity which required them. It is a poor philosophy that eschews the *Deus ex machina*, and yet ties the knot which is only soluble by his interposition. It is not unphilosophical to assume a miracle, if a miracle be necessary; but it may, and probably is, unphilosophical, to originate the necessity itself. And here the hypothetical realist cannot pretend, that the difficulty is of nature's, not of his creation. In fact it only arises, *because* he has closed his eyes upon the light of nature, and refused the guidance of consciousness: but having swamped himself in following the *ignis fatuus* of a theory, he has no right to refer its private absurdities to the imbecility of human reason; or to generalize his own factitious ignorance, by a *Quantum est quod nescimus!* The difficulty of the problem Dr Brown has not perceived; or perceiving, has not ventured to state,—far less attempted to remove. He has essayed, indeed, to *cut* the knot, which he was unable to *loose;* but we shall find, in the sequel, that his summary postulate of the reality of an external world, on the ground of our belief in its existence, is, in his hands, of all unfortunate attempts, perhaps the most unsuccessful.

The scheme of Natural Realism, which it is Reid's immortal honour to have been the first, among not forgotten philosophers, to embrace, is thus the only system, on which the truth of consciousness and the possibility of knowledge can be vindicated;

whilst the Hypothetical Realist, in his effort to be 'wise above 'knowledge,' like the dog in the fable, loses the substance, in attempting to realize the shadow. '*Les hommes*,' says Leibnitz, with a truth of which he was not himself aware,—'*les hommes cherchent* '*ce qu'ils savent, et ne savent pas ce qu'ils cherchent.*'

That the doctrine of an *intuitive* perception is not without its difficulties, we allow. But these do not affect its possibility; and may in a great measure be removed by a more sedulous examination of the phænomena. The distinction of *perception proper* from *sensation proper*, in other words, of the *objective* from the *subjective* in this act, Reid has already turned to good account; but his analysis would have been still more successful, had he discovered the law which universally determines their appearance;—*That perception and sensation—the objective and subjective, though both always coexistent, are always in an inverse ratio of each other.* But on this matter we cannot at present enter.

Dr Brown is not only wrong in regard to Reid's own doctrine; he is wrong, even admitting his interpretation of that philosopher to be true, in charging him with a 'series of won-'derful misconceptions,' in regard to the opinions universally prevalent touching the nature of ideas. We shall not argue the case upon the *higher ground*, that Reid, as a natural realist, could not be *philosophically* out, in assailing the hypothesis of a representative perception, even though one of its subordinate modifications might be mistaken by him for another; but shall prove that, supposing Reid to have been like Brown, an hypothetical realist, under the *third* form of a representative perception, he was not *historically* wrong in attributing to philosophers in general, the *first* or *second* variety of the hypothesis. Even on this *lower ground*, Brown is fated to be unsuccessful; and if Reid be not always correct, his antagonist has failed in convicting him even of a single inaccuracy. We shall consider Brown's charge of misrepresentation in detail.

It is always unlucky to stumble on the threshold. The paragraph (Lect. 26.) in which Dr Brown opens his attack on Reid, contains more mistakes than sentences: and the etymological discussion it involves, supposes as true, what is not simply false, but diametrically opposite to the truth. Among *other* errors—in the *first* place, the term '*idea*' was never employed in any system, previous to the age of Descartes, to denote 'little images derived 'from objects without.' In the *second*, it was never used in any philosophy, prior to the same period, to signify the immediate object of perception. In the *third*, it was not applied by the 'Peripatetics or Schoolmen,' to express an object of human

thought at all.* In the *fourth*, ideas (taking this term for *species*) were not 'in all the dark ages of the scholastic followers of 'Aristotle,' regarded as '*little images derived from without*;' for a

* The history of the word *idea* seems completely unknown. Previous to the age of Descartes, as a philosophical term, it was employed exclusively by the Platonists,—at least exclusively in a Platonic meaning; and this meaning was *precisely the reverse* of that attributed to the word by Dr Brown;—the idea *was not an object of perception*—the idea *was not derived from without*.—In the schools, so far from being a current *psychological* expression, as he imagines, it had no other application than a *theological*. Neither, after the revival of letters, was the term extended by the Aristotelians even to the objects of *intellect*. Melanchthon indeed (who was a kind of semi-Platonist) uses it on *one* occasion as a synonyme for notion, or intelligible species (*De Anima*, p. 187, ed. 1555); but it was even to this solitary instance, we presume, that Julius Scaliger alludes (*De Subtilitate*, vi. 4.) when he castigates such an application of the word as neoteric and abusive. ('*Melanch.*' is on the margin.)—We should have distinctly said that previous to its employment *by Descartes himself*, the expression had never been used as a comprehensive term for the immediate objects of thought, had we not in remembrance the *Historia Animæ Humanæ* of our countryman David Buchanan. This work, originally written in French, had for some years been privately circulated previous to its publication at Paris in 1636. Here we find the word *idea* familiarly employed, in its most extensive signification, to express the objects, not only of intellect proper, but of memory, imagination, sense; and this is the *earliest* example of such an employment. For the *Discourse on Method* in which the term is usurped by Descartes in an equal latitude, was at least a year later in its publication—viz. in June 1637. Adopted soon after also by Gassendi, the word under such imposing patronage gradually won its way into general use. In England, however, Locke may be said to have been the first who naturalized the term in its Cartesian universality. Hobbes employs it, and that historically, only once or twice; Henry More and Cudworth are very chary of it, even when treating of the Cartesian philosophy; Willis rarely uses it; while Lord Herbert, Reynolds, and the English philosophers in general, between Descartes and Locke, do not apply it psychologically at all. When in common language employed by Milton and Dryden, *after* Descartes, as *before* him, by Sidney, Spenser, Shakspeare, Hooker, &c. the meaning is Platonic. Our Lexicographers are ignorant of the difference.

The fortune of this word is curious. Employed by Plato to express the real forms of the intelligible world, in lofty contrast to the unreal images of the sensible; it was lowered only when Descartes extended it to the objects of our consciousness in general. When, after Gassendi, the school of Condillac had analyzed our highest faculties into our lowest, the *idea* was still farther degraded from its high original. Like a fallen angel, it was relegated from the sphere of divine intelligence, to the atmosphere of human sense; till at last by a double blunder in philosophy and Greek, IDE*O*LOGIE (for IDEALOGIE), a word which could only *properly* suggest an

numerous party of the most illustrious schoolmen rejected *species*, not only in the *intellect*, but in the *sense*. In the *fifth*, '*phan-*'*tasm*' in 'the old philosophy,' was not the '*external cause of per-*'*ception*' but the *internal object of imagination*. In the *sixth*, the term '*shadowy film*' which here and elsewhere he constantly uses, shows that Dr Brown confounds the matterless species of the Peripatetics with the substantial effluxions of Democritus and Epicurus,

> Quæ, quasi *membranæ*, summo de cortice rerum
> Dereptæ, volitant ultro citroque per auras.

Dr Brown in short only fails, in illustrating against Reid the various meanings in which 'the old writers' employed the term *idea*, by the little fact, that the old writers never employed the term idea at all.

Nor does the progress of the attack belie the omen of its outset. We shall consider the philosophers quoted by Brown in chronological order. Of three of these only, (Descartes, Arnauld, Locke,) were the opinions particularly noticed by Reid; the others (Hobbes, Le Clerc, Crousaz,) Brown adduces as examples of Reid's general misrepresentation. Of the *greater number* of the philosophers specially criticised by Reid, Brown *prudently says nothing*.

Of these, the first is DESCARTES; and in regard to him, Dr Brown, not content with accusing Reid of simple ignorance, contends, 'that the opinions of Descartes are *precisely opposite* 'to the representations which he has given of them.'—(Lect. xxvii. p. 172.) Reid's statement, in regard to Descartes, is that this philosopher appears to place the idea or representative object in perception, sometimes in the *mind*, and sometimes in the *brain*; and he acknowledges that while these opinions seem to him contradictory, he is not prepared to pronounce which of them their author held, if he did not indeed hold both together. 'Descartes,' he says, 'seems to have hesitated between 'the two opinions, or to have passed from one to the other.' On any alternative, however, Reid attributes to Descartes, either the *first* or the *second* form of representation. Now here we must recollect, that the question is not whether Reid be *certainly right*, but whether he be *inexcusably wrong*. Dr Brown accuses him

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a priori scheme, deducing our knowledge from the intellect, has in France become the name peculiarly distinctive of that philosophy of mind which exclusively derives our knowledge from sensation.—Word and thing, *idea* has been the *crux philosophorum*, since Aristotle cursed it to the present day;—τὰς δὲ ἰδέας χαιρέτω· τερετίσματα γάρ ἐισι.

of the most ignorant misrepresentation—of interpreting an author whose perspicuity he himself admits, in a sense '*exactly the re-verse*' of truth. To determine what Descartes' doctrine of perception actually is, would be difficult, perhaps impossible; and in reference to the question at issue, certainly superfluous. It here suffices to show, that his opinion on this point is one mooted among his disciples; and that Brown, wholly unacquainted with the difficulties of the question, dogmatizes on the basis of a single passage—nay, of a passage in itself irrelevant.

Reid is justified against Brown if the Cartesian Idea be proved either a *material image in the brain*, or an *immaterial representation in the mind, distinct from the percipient act.* By those not possessed of the key to the Cartesian theory, there are many passages* in the writings of its author, which, taken by themselves, might naturally be construed to import, that Descartes supposed the mind to be conscious of certain *motions in the brain*, to which, as well as to the *modifications of the intellect itself*, he applies the terms *image* and *idea*. Reid, who did not understand the Cartesian philosophy as a system, was puzzled by these superficial ambiguities. Not aware that the cardinal point of that system is, that mind and body, as essentially opposed, are *naturally* to each other as zero; and that their mutual intercourse can only be *supernaturally* maintained by the concourse of the Deity;† Reid attributed to Descartes the possible opinion, that the soul was immediately cognisant of *material images in the brain.* But in the Cartesian theory, mind is only conscious of itself; the affec-

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* *Vide e. g. De Pass.* § 35,—a passage stronger than any of those noticed by De la Forge.

† That the theory of *Occasional Causes* is necessarily involved in Descartes' doctrine of *Assistance*, and that his explanation of the connexion of mind and body reposes on that theory, it is impossible to doubt. For while he rejects all physical influence in the communication and conservation of motion between bodies, which he refers exclusively to the ordinary concourse of God, (*Princ. P. II. Art.* 36. *etc.*); consequently, he deprives conflicting bodies of all proper efficiency, and reduces them to the mere occasional causes of this phænomenon. But *a fortiori*, he must postulate the hypothesis, which he found necessary in explaining the intercourse of things *substantially the same*, to account for the reciprocal action of two substances, *to him*, of so *incompatible a nature*, as mind and body. De la Forge, Geulinx, Mallebranche, Cordemoi, and other disciples of Descartes, only explicitly evolve what the writings of their master implicitly contain. We may observe, though we cannot stop to prove, that Tennemann is wrong in denying De la Forge to be even an advocate, far less the first articulate expositor, of the doctrine of *Occasional Causes.*

tions of body may, by the *law of union*, be the proximate *occasions*, but can never constitute the immediate *objects*, of knowledge. Reid, however, supposing that nothing could obtain the name of *image*, which did not represent a prototype, or the name of *idea* which was not an object of thought: thus misinterpreted Descartes, who applies, abusively indeed, these terms to the *occasion* of perception, (*i. e.* the motion in the sensorium, *unknown in itself* and *resembling nothing*), as well as to the *object* of thought, (*i. e.* the representation of which we are conscious in the mind itself). In the Leibnitzio-Wolfian system, *two* elements, both also denominated *ideas*, are in like manner accurately to be contra-distinguished in the process of perception. The *idea in the brain*, and the *idea in the mind*, are, to Descartes, precisely what the '*material* '*idea*,' and the '*sensual idea*,' are to the Wolfians. In both philosophies, the two ideas are harmonic modifications, correlative and co-existent; but in neither, is the organic affection or sensorial idea an object of consciousness. It is merely the unknown and arbitrary condition of the mental representation; and in the hypothesis both of Assistance and the Pre-established Harmony, the presence of the one idea implies the concomitance of the other, only by virtue of the hyperphysical determination. Had Reid, in fact, not limited his study of the Cartesian system to the writings of its founder, the twofold application of the term idea, by Descartes, could never have seduced him into the belief, that so monstrous a solecism had been committed by that illustrious thinker. By De la Forge, the personal friend of Descartes, the verbal ambiguity is, indeed, not only noticed, but removed; and that admirable expositor applies the term '*corporeal species*' to the affection in the brain, and the terms '*idea*,' '*intellectual notion*,' to the spiritual representation in the conscious mind.—(*De l'Esprit*, *c.* 10.)

But if Reid be wrong in his supposition, that Descartes admitted a consciousness of ideas *in the brain*;* is he on the *other alternative* wrong, and inexcusably wrong, in holding that Descartes supposed ideas *in the mind*, not to be identical with their perceptions? Mallebranche, the most illustrious name in the school after its founder, (and who, not certainly with less ability, may be supposed to have studied the writings of his master, with far greater attention than either Reid or Brown,) ridicules, as '*contrary to common sense and justice*,' the supposition that Descartes had rejected ideas in '*the ordinary acceptation*,' and

* Reid's error on this point is however surpassed by that of M. Royer-Collard, who represents the idea in the Cartesian doctrine of perception as exclusively situate in the brain.—(*Œuvres de Reid*, *III.* p. 334.)

adopted the hypothesis of their being representations, not really distinct from their perception. And while 'he is as certain as 'he possibly can be in such matters,' that Descartes had not dissented from the general opinion, he taunts Arnauld with resting his paradoxical interpretation of that philosopher's doctrine 'not 'on any passages of his Metaphysic contrary to the *common* 'opinion,' but on his own arbitrary limitation of '*the ambiguous* 'term *perception*.' (*Rep. au Livre des Idées, passim*—ARNAULD, *Œuv.* xxxviii. pp. 388, 389.) That ideas are '*found in the mind*, '*not formed by it*,' and consequently, that in the act of knowledge the representation is really distinct from the cognition proper, is strenuously asserted as the doctrine of his master by the Cartesian Röell, in the controversy he maintained with the Anti-Cartesian De Vries. (ROELLI *Dispp.*—DE VRIES *De Ideis innatis.*)—But it is idle to multiply proofs. Brown's charge of ignorance falls back upon himself; and Reid may lightly bear the reproach of '*exactly reversing*' the notorious doctrine of Descartes, when thus borne, along with him, by the profoundest of that philosopher's disciples.

Had Brown been aware, that the point at issue between him and Reid, was one agitated among the followers of Des Cartes themselves, he could hardly have dreamt of summarily determining the question by the production of one vulgar passage from the writings of that philosopher. But we are sorely puzzled to account for his hallucination, in considering this passage pertinent. Its substance is fully given by Reid in his exposition of the Cartesian doctrine. Every iota it contains, of any relevancy, is adopted by Mallebranche;—constitutes less precisely indeed, his famous distinction of *perception* (*idée*) from *sensation* (*sentiment*): and Mallebranche is one of the two modern philosophers, admitted by Brown to have held the hypothesis of representation in its first, and, as he says, its most 'erroneous' form. But principles that coalesce even with the hypothesis of ideas *distinct from mind, a fortiori*, are not incompatible with the hypothesis, of ideas *distinct only from the perceptive act.* We cannot enter on an articulate exposition of its irrelevancy.

To adduce HOBBES, as an instance of Reid's misrepresentation of the 'common doctrine of ideas,' betrays on the part of Brown, a total misapprehension of the conditions of the question;—or he forgets that Hobbes was a materialist. The doctrine of representation, under all its modifications, is *properly* subordinate to the doctrine of a spiritual principle of thought; and on the supposition, all but universally admitted among philosophers, that the relation of knowledge implied the analogy of existence, it was devised to explain the possibility of a knowledge by an im-

material subject, of an existence so disproportioned to its nature, as the qualities of a material object. Contending, that an immediate cognition of the accidents of matter, infers an essential identity of matter and mind, Brown himself admits, that the hypothesis of representation belongs exclusively to the doctrine of dualism (Lect. xxv. pp. 159, 160); while Reid, assailing the hypothesis of ideas, only as subverting the reality of matter, could hardly regard it as parcel of that doctrine, which acknowledged the reality of nothing else. But though Hobbes cannot be adduced as a competent witness *against Reid*, he is however valid evidence *against Brown*. Hobbes, though a materialist, admitted no knowledge of an external world. Like his friend Sorbiere, he was a kind of *material idealist*. According to him, we know nothing of the qualities or existence of any outward reality. All that we know is the '*seeming*,' the '*apparition*,' the '*aspect*,' the '*phænomenon*,' the '*phantasm*,' within ourselves; and this *subjective object*, of which we are conscious, and which is consciousness itself, is nothing more than the '*agitation*' of our internal organism, determined by the unknown 'motions,' which are supposed, in like manner, to constitute the world without. *Perception* he reduces to *sensation*. Memory and imagination, faculties *specifically* identical with sense, differ from it simply in the *degree* of their vivacity; and this difference of intensity, with Hobbes as with Hume, is the only discrimination between our dreaming and our waking thoughts.—A doctrine of perception identical with Reid's!

In regard to ARNAULD, the question is not, as in relation to the others, whether Reid conceives him to maintain a form of the ideal theory which he rejects, but whether *Reid admits Arnauld's opinion on perception and his own to be identical*. 'To 'these authors,' says Dr Brown, 'whose opinions, on the subject 'of perception, Dr Reid has misconceived, I may add one, whom '*even he himself allows to have shaken off the ideal system*, and to 'have considered the idea and the perception, as not distinct, 'but the same, a modification of the mind and nothing more.—I 'allude to the celebrated Jansenist writer, Arnauld, who main-'tains *this doctrine as expressly as Dr Reid himself*, and makes it 'the foundation of his argument in his controversy with Malle-'branche.'—(Lect. xxvii. p. 173.)—If this statement be not untrue, then is Dr Brown's interpretation of Reid himself correct. A representative perception, under its *third* and simplest modification, is held by Arnauld as by Brown; and his exposition is so clear and articulate, that all essential misconception of his doctrine is precluded. In these circumstances, if Reid avow the identity of Arnauld's opinion and his own, this avowal is

tantamount to a declaration that his peculiar doctrine of perception is a scheme of representation; whereas, on the contrary, if he signalize the contrast of their two opinions, he clearly evinces the radical antithesis,—and his sense of the radical antithesis —of his doctrine of *intuition*, to every, even the simplest form of the hypothesis of *representation*. And this last he does.

It cannot be maintained, that Reid admits a philosopher to hold an opinion convertible with his, whom he states to 'profess 'the doctrine, *universally received*, that *we perceive not material* 'things immediately,—that it is their *ideas, that are the immediate* 'objects of our thoughts,—and that it is *in the idea of every thing*, 'we perceive its properties.' This fundamental contrast being established, we may safely allow, that the original misconception, which caused Reid to overlook the difference of our intuitive and representative faculties, caused him likewise to believe, that Arnauld had attempted to unite two contradictory theories of perception. Not aware, that it was possible to maintain a doctrine of perception, in which the idea was not really distinguished from its cognition, and yet to hold that the mind had no immediate knowledge of external things; Reid supposes, in the *first* place, that Arnauld, in rejecting the hypothesis of ideas, as representative existences, really distinct from the contemplative act of perception, coincided with him in viewing the material reality, as the immediate object of that act; and, in the *second*, that he again deserted this opinion, when with the philosophers, he maintained, that the idea, or act of the mind representing the external reality, and not the external reality itself, was the immediate object of perception. But Arnauld's theory is one and indivisible; and as such no part of it is identical with Reid's. Reid's confusion, here as elsewhere, is explained by the circumstance, that he had never speculatively conceived the possibility of the simplest modification of the representative hypothesis. He saw no medium between rejecting ideas as something different from thought, and his own doctrine of an immediate knowledge of the material object. Neither does Arnauld, as Reid supposes, ever assert against Mallebranche, 'that we perceive ex- 'ternal things immediately,' that is, in themselves.* Maintaining '*that all our perceptions are modifications essentially representative*,' Arnauld *everywhere* avows, that he denies ideas, *only as existences*

* This is perfectly clear from Arnauld's own uniform statements, and it is justly observed by Mallebranche, in his *Reply to the treatise On True and False Ideas* (p. 123, orig. edit.)—that 'in reality,' according to M. Arnauld, '*we do not perceive bodies*, we *perceive only ourself*.'

distinct from the act itself of perception. (*Œuvres*, t. xxxviii. pp. 199, 187, 198, 389.)

Reid was therefore wrong, and did Arnauld less than justice, in viewing his theory 'as a weak attempt to reconcile two in-'consistent doctrines:' he was wrong, and did Arnauld more than justice, in supposing, that one of these doctrines was not incompatible with his own. The detection, however, of this error only tends to manifest more clearly, how just, even when under its influence, was Reid's appreciation of the contrast, subsisting between his own and Arnauld's opinion, considered *as a whole;* and exposes more glaringly Brown's general misconception of Reid's philosophy, and his present gross misrepresentation, in affirming that the doctrines of the two philosophers were identical, and by Reid admitted to be the same.

Nor is Dr Brown more successful in his defence of Locke.

Supposing always, that ideas were held to be something distinct from their cognition, Reid states it, as that philosopher's opinion, 'that images of external objects were conveyed to the 'brain; but whether he thought with Descartes' [*lege omnino* Dr Clarke] 'and Newton, that the images in the brain are 'perceived by the mind, there present, or that they are imprinted 'on the mind itself, is not so evident.' This, Dr Brown, nor is he original in the assertion, pronounces a flagrant misrepresentation. Not only does he maintain, that Locke never conceived the idea to be substantially different from the mind, as a material image in the brain; but, that he never supposed it to have an existence apart from the mental energy of which it is the object. Locke, he asserts, like Arnauld, considered the idea perceived and the percipient act, to constitute the same indivisible modification of the conscious mind. We shall see.

In his *language*, Locke is, of all philosophers, the most figurative, ambiguous, vacillating, various, and even contradictory;—as has been noticed by Reid and Stewart, and Brown himself;—indeed, we believe by every author, who has had occasion to comment on this philosopher. The opinions of such a writer are not, therefore, to be assumed from isolated and casual expressions, which themselves require to be interpreted on the general analogy of his system; and yet this is the only ground on which Dr Brown attempts to establish his conclusions. Thus, on the matter under discussion, though *really* distinguishing, Locke *verbally* confounds the objects of sense and of intellect—the operation and its object—the object immediate and mediate—the object and its relations—the images of fancy and the notions of the understanding. Consciousness is converted with Perception,—Perception with Idea,—Idea with the object of Percep-

tion, and with Notion, Conception, Phantasm, Representation, Sense, Meaning, &c. Now, his language identifying ideas and perceptions, appears conformable to a disciple of Arnauld; and now it proclaims him a follower of Digby,—explaining ideas by mechanical impulse, and the propagation of material particles from the external reality to the brain. In one passage, the idea would seem an organic affection—the mere occasion of a spiritual representation; in another, a representative image, in the brain itself. In employing thus indifferently the language of every hypothesis, may we not suspect, that he was anxious to be made responsible for none? One, however, he has formally rejected—and that is the very opinion attributed to him by Dr Brown—that the idea or object of consciousness in perception is only a modification of the mind itself.

We do not deny, that Locke occasionally employs expressions, which, in a writer of more considerate language, would imply the identity of ideas with the act of knowledge; and, under the circumstances, we should have considered suspense more rational than a dogmatic confidence in any conclusion, did not the following passage, which has never, we believe, been noticed, appear to us to afford a positive contradiction of Dr Brown's interpretation. It is from Locke's *Examination of Mallebranche's Opinion*, which, as subsequent to the publication of the *Essay*, must be held authentic, in relation to the doctrines of that work. At the same time, the statement is articulate and precise, and possesses all the authority of one cautiously made in the course of a polemical discussion. Mallebranche coincided with Arnauld, and consequently with Locke, *as interpreted by Brown*, to the extent of supposing, that *sensation proper* is nothing but a state or modification of the mind itself; and Locke had thus the opportunity of expressing, in regard to this opinion, his agreement or dissent. An acquiescence in the doctrine, that the *secondary* qualities, of which we are conscious in *sensation*, are merely mental states, by no means involves an admission that the *primary* qualities of which we are conscious in *perception*, are nothing more. Mallebranche, for example, affirms the one and denies the other. But if Locke be found to ridicule, as he does, *even* the opinion which *merely* reduces the secondary qualities to mental states, *a fortiori*, and this, *on the principles of his own philosophy*, he must be held to reject the doctrine, which would reduce not only the non-resembling sensations of the secondary, but even the resembling, and consequently extended, ideas of the primary qualities of matter, to modifications of the immaterial unextended mind. In these circumstances, the following passage is superfluously conclusive against Brown, and equally so, whether we coincide or

not in all the principles it involves.—'But to examine their 'doctrine of *modification* a little farther. Different sentiments '(sensations) are different modifications of the mind. The 'mind, or soul, that perceives, is one immaterial indivisible 'substance. Now I see the white and black on this paper, I 'hear one singing in the next room, I feel the warmth of the 'fire I sit by, and I taste an apple I am eating, and all this at 'the same time. Now, I ask, take modification for what you 'please, *can the same unextended, indivisible substance have different, 'nay, inconsistent and opposite (as these of white and black must be) 'modifications at the same time? Or must we suppose distinct parts 'in an indivisible substance, one for black, another for white, and 'another for red ideas, and so of the rest of those infinite sensations, 'which we have in sorts and degrees; all which we can distinctly 'perceive, and so are distinct ideas, some whereof are opposite, as 'heat and cold, which yet a man may feel at the same time?* I was 'ignorant before, how sensation was performed in us: this they 'call an explanation of it! Must I say now I understand it 'better? If this be to cure one's ignorance, it is a very slight 'disease, and the charm of two or three insignificant words will 'at any time remove it; *probatum est.*' (sect. 39.) This passage, as we shall see, is correspondent to the doctrine held on this point by Locke's personal friend and philosophical follower, Le Clerc.

But if it be thus evident, that Locke held neither the *third* form of representation, that lent to him by Brown—nor *even* the *second;* it follows, that Reid did him any thing but injustice, in supposing him to maintain, that ideas are objects, *either* in the *brain, or* in the *mind* itself. Even the *more material* of these alternatives has been the one generally attributed to him by his critics,* and the one adopted from him by his disciples.† Nor is this to be deemed an opinion too monstrous to be entertained by so enlightened a philosopher. It was, as we shall see, the common opinion of the age—the opinion, in particular, held by the most illustrious of his countrymen and contemporaries—by Newton, Clarke, Willis, Hook, &c. ‡

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* To refer only to the *first* and *last* of his regular critics, See *Solid Philosophy asserted against the Fancies of the Ideists,* by J. S. [J. SERGEANT]. Lond. 1697, p. 161:—a very curious book, *absolutely,* we may say, *unknown;* and COUSIN, *Cours de Philosophie,* t. ii. 1829; pp. 330, 357, 325, 365—the most important work on Locke since the *Nouveaux Essais* of Leibnitz.

† TUCKER'S *Light of Nature,* i. pp. 15, 18, ed. 2.

‡ On Newton and Clarke's opinion, see Des Maizeaux's Recueil, i. pp. 7, 8, 9, 15, 22, 75, 127, 169, &c.—Genovesi notices the crudity of

Dr Brown at length proceeds to consummate his victory by 'that *most decisive evidence*, found not in treatises read only by a 'few, but in the popular elementary works of science of the 'time, the *general text books* of schools and colleges.' He quotes, however, only two—the *Pneumatology* of Le Clerc, and the *Logic* of Crousaz.

'Le Clerc,' says Dr Brown, 'in his chapter on the nature of 'ideas, gives the history of the opinions of philosophers on this 'subject, and states among them the very doctrine which is most 'forcibly and accurately opposed to the ideal system of percep-'tion. "*Alii putant ideas et perceptiones idearum easdem esse, licet 'relationibus differant.* Idea, uti censent, proprie ad objectum 'refertur, quod mens considerat;—perceptio, vere ad mentem 'ipsam quæ percipit: sed duplex illa relatio ad unam modifi-'cationem mentis pertinet. Itaque, secundum hosce philoso-'phos, nullæ sunt, proprie loquendo, ideæ a mente nostra dis-'tinctæ." *What is it, I may ask, which Dr Reid considers him-'self as having added to this very philosophical view of perception?* 'and if he added nothing, it is surely too much to ascribe to him 'the merit of detecting errors, *the counter statement of which had 'long formed a part of the elementary works of the schools.*' In the *first* place, Dr Reid certainly '*added*' nothing 'to this very philo-'sophical view of perception,' but he *exploded it altogether.* In the *second*, it is false either that this doctrine of perception '*had 'long formed part of the elementary works of the schools*,' or that Le Clerc affords any countenance to this assertion. On the contrary, it is virtually stated by him to be the *novel paradox* of a *single* philosopher; nay to carry the blunder to hyperbole, it is already, as

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Newton's doctrine, 'Mentem in *cerebro* præsidere atque *in eo*, suo scilicet sensorio, rerum *imagines cernere*.' On Willis, see his work *De Anima Brutorum*, p. 64, *alibi*, ed. 1672.—On Hook, see his *Lect. on Light*, § 7. We know not whether it has been remarked that Locke's doctrine of particles and impulse, is precisely that of Sir Kenelm Digby; and if Locke adopts *one* part of so gross an hypothesis, what is there improbable in his adoption of the *other*?—that the object of perception is, 'a material participation of the bodies that work on the outward organs of the senses,' (Digby, *Treatise of Bodies*, c. 32.) As a specimen of the mechanical explanations of mental phænomena then considered satisfactory, we quote Sir Kenelm's theory of memory.—'Out of which it followeth, that the little similitudes which are in the caves of the brain, wheeling and swimming about, almost in such sort as you see in the washing of currants or rice by the winding about and circular turning of the cook's hand, divers sorts of bodies do go their courses for a pretty while; so that the most ordinary objects cannot but present themselves quickly,' &c. &c. (ibidem.)

such a singular opinion, discussed and referred to its author by *Reid himself*. Had Dr Brown proceeded from the tenth paragraph, which he quotes, to the fourteenth, which he *could not have read*, he would have found, that the passage extracted, so far from containing the statement of an old and familiar dogma in the schools, was, neither more nor less, than a statement of the *contemporary hypothesis of*—ANTONY ARNAULD! and of Antony Arnauld *alone*. —In the *third* place, from the mode in which he cites Le Clerc, his silence to the contrary, and the general tenor of his statement, Dr Brown would lead us to believe, that Le Clerc himself coincides in 'this very philosophical view of perception.' So far, however, from coinciding with Arnauld, he pronounces his opinion to be false; controverts it upon very solid grounds; and in delivering his own doctrine touching ideas, though sufficiently cautious in telling us what they are, he has no hesitation in assuring us, among other things which they cannot be, that they *are not modifications or essential states of mind. Non est* (idea sc.) *modificatio aut essentia mentis:* nam præterquam quod sentimus ingens esse discrimen inter ideæ *perceptionem* et *sensationem*; quid habet mens nostra simile monti, aut innumeris ejusmodi ideis?—(*Pneumat. sect.* i. *c.* 5. § 10.)

On all this no observation of ours can be either so apposite or authoritative, as the reflections with which Dr Brown himself concludes his vindication of the philosophers against Reid. Brown's precept is good, but his example is still better. One word we leave blank, which the reader may himself supply.—'That a mind so 'vigorous as that of Dr —— *should have been capable of the series* 'of misconceptions which we have traced, may seem wonderful, and 'truly is so; and equally, or rather still more wonderful, is the gene-'ral admission of his merit in this respect. I trust it will impress 'you with one important lesson—*to consult the opinions of authors* 'in their own works, and not in the works of those who profess to give 'a faithful account of them. From *my own experience* I can most 'truly assure you, *that there is scarcely an instance in which I have* 'found the view I had received of them to be faithful. There is 'usually something more, or something less, which modifies 'the general result; and by the various additions and subtrac-'tions thus made, so much of the spirit of the original doctrine 'is lost, that it may, in some cases, be considered as having 'made a fortunate escape, if it *be not at last represented as directly* 'opposite to what it is.' (Lect. xxvii.)

The cause must, therefore, be unconditionally decided in favour of Reid, even on that testimony, which Brown triumphantly produces in court, as '*the most decisive evidence*' against him: here then we might close our case. To signalize, however,

more completely the whole character of the accusation, we shall call a few witnesses; to prove, in fact, nothing more than that Brown's own 'most decisive evidence' is not less favourable to him, than any other that might be cited from the great majority of the learned.

MALLEBRANCHE, in his controversy with Arnauld, everywhere *assumes* the doctrine of ideas, really distinct from their perception, to be the one '*commonly received*;' nor does his adversary venture to dispute the assumption. (*Rep. au Livre des Idées.*—ARNAULD, *Œuv.* t. xxxviii. p. 388.)

LEIBNITZ, on the other hand, in answer to Clarke, *admits*, that the crude theory of ideas held by that philosopher, *was the common*. 'Je ne demeure point d'accord des *notions vulgaires*, 'comme si les *Images des choses* étoient transportées, par les 'organes, jusqu'à l'ame. Cette notion de la *Philosophie Vul-'gaire* n'est point intelligible, comme les nouveaux Cartesiens 'l'ont assez montré. L'on ne sauroit expliquer comment la 'substance *immaterielle* est affectée par la *matière*: et soutenir 'une chose non intelligible là-dessus, c'est recourir à la notion 'scholastique chimérique de je ne sai quelles *espèces intentionelles* 'inexpliquable, qui passent des organes dans l'ame.' (*Opera, II.* p. 161.) Nor does Clarke, in reply, disown this doctrine for himself, or others.—(*Ibid.* p. 182.)

BRUCKER in his *Historia Philosophica Doctrinæ de Ideis* (1723) speaks of Arnauld's hypothesis as a '*peculiar opinion*,' rejected by '*philosophers in general*' (plerisque eruditis), as not less untenable than the paradox of Mallebranche.—P. 248.

Dr Brown is fond of *text-books*. Did we condescend to those of *ordinary* authors, we could adduce a cloud of witnesses against him. As a sample we shall quote only three, but these of the *very highest* authority.

CHRISTIAN THOMASIUS, though a reformer of the Peripatetic and Cartesian systems, adopted a grosser theory of ideas than either. In his *Introductio ad Philosophiam aulicam*, (1702,) he defines thought in general, a mental discourse '*about images, by* '*the motion of external bodies and through the organs of sense*, '*stamped in the substance of the brain*.' (c. 3. § 29. See also his *Inst. Jurispr. Div.* L. I. c. 1., and *Introd. in Phil. ration.* c. 3.)

S'GRAVESANDE, in his *Introductio ad Philosophiam*, (1736,) though professing to leave undetermined, the *positive* question concerning the origin of ideas, and admitting that *sensations* are 'nothing more than modifications of the mind itself;' makes no scruple, in determining the *negative*, to dismiss, as absurd, the hypothesis, which would reduce sensible *ideas* to an equal subjectivity. '*Mentem ipsam has Ideas efficere, et sibi ipsi representare*

'*res, quarum his solis Ideis cognitionem acquirit, nulle modo con-*
'*cipi potest.* Nulla inter causam et effectum relatio daretur.'
(§§ 279, 282.)

GENOVESI, in his *Elementa Metaphysicæ*, (1748,) lays it down as a fundamental position of philosophy, *that ideas and the act cognitive of ideas are distinct* ('*Prop. xxx. Ideæ et Perceptiones non* '*videntur esse posse una eademque res*'); and he ably refutes the hypothesis of Arnauld, which he reprobates as a paradox, unworthy of that illustrious reasoner. (*Pars II.* p. 140.)

VOLTAIRE'S *Dictionnaire Philosophique* may be adduced as representing the intelligence of the age of Reid himself. 'Qu'est 'ce qu'une Idée?—C'est une *Image* qui se *peint* dans mon cer-'*veau.*—*Toutes vos pensées* sont donc des *images?*—*Assurement,*' &c. (*voce Idée.*)

What, in fine, is the doctrine of the two most numerous schools of modern philosophy—the LEIBNITZIAN and the KANTIAN?* Both maintain that the mind involves representations of which it is not, and never may be, conscious; that is, both maintain the second form of the hypothesis, and one of the two that Reid understood and professedly assailed.

In Crousaz, Dr Brown has actually succeeded in finding *one* example (he might have found twenty) of a philosopher, before Reid, holding the same theory of ideas with Arnauld and himself.

The reader is now in a condition to judge of the correctness of Brown's statement, 'that with the exception of Mallebranche 'and Berkeley, who had peculiar and very erroneous notions on 'the subject, ALL the philosophers whom Dr Reid considered 'himself as opposing, [what! Newton, Clarke, Hook, Norris, 'Porterfield, &c.?—these, be it remembered, *specially* attacked by 'Reid, Brown has neither ventured to defend, nor to acknow-'ledge that he could not,] would, if they had been questioned by 'him, have admitted, before they heard a single argument on his 'part, *that their opinions with respect to ideas were precisely the same* 'as his own.' (Lect. xxvii. p. 174.)

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* LEIBNITZ *Opera, Dutensii, tom. ii.* pp. 21, 23, 33, 214, *pars ii.* pp. 137, 145, 146. *Œuvres Philos. par Raspe*, pp. 66, 67, 74, 96, ets. WOLF—*Psychol. Rat.* § 10, *ets.*—*Psychol. Emp.* § 48. KANT—*Critik d. r. V.* p. 376. *ed.* 2. *Anthropologie*, § 5. With one restriction, Leibnitz's doctrine is that of the lower Platonists, who maintained that the soul actually contains representations of every possible substance and event in the world during the revolution of the *great year*; although these *cognitive reasons* are not elicited into consciousness, unless the reality, thus represented, be itself brought within the sphere of the sensual organs. (*Plotinus, Enn. v. lib. vii. cc.* 1, 2, 3.)

We have thus vindicated our original assertion—*Brown has not succeeded in convicting Reid, even of a single error.*

Brown's mistakes regarding the opinions on perception, entertained by Reid and the philosophers, are perhaps, however, even less astonishing, than his total misconception of the purport of Hume's reasoning against the existence of matter, and of the argument, by which Reid invalidates Hume's sceptical conclusion. We shall endeavour to reduce the problem to its simplicity.

Our knowledge rests ultimately on certain facts of consciousness, which as primitive, and consequently incomprehensible, are given less in the form of *cognitions* than of *beliefs*. But if consciousness in its last analysis—in other words, if our *primary experience*, be a faith; the reality of our knowledge turns on the veracity of our generative beliefs. As ultimate, the quality of these beliefs cannot be inferred; their truth, however, is in the first instance to be presumed. As given and possessed, they must stand good until refuted; *neganti incumbit probatio.* Intelligence cannot gratuitously annihilate itself; nature is not to be assumed to work in vain; nor the Author of nature to create only to deceive.

> Φήμη δ' ὄυποτε πάμπαν ἀπόλλυται, ἥντινα πάντες
> Λαοὶ φημίζουσι· Θεοῦ νύ τι ἔπ-ὶ καὶ αὐτή.

But though the truth of our instinctive faiths must *originally* be admitted, their falsehood may *subsequently* be established: this however only through themselves—only on the ground of their reciprocal contradiction. Is this contradiction proved, the edifice of our knowledge is undermined; for '*no lie is of the truth.*' Consciousness is to the philosopher, what the Bible is to the theologian. Both are professedly revelations of divine truth; both exclusively supply the constitutive elements of knowledge, and the regulative standard of its construction. Each may be disproved, but disproved only by itself. If one or other reveal facts, which, as mutually repugnant, cannot but be false, the authenticity of that revelation is invalidated; and the criticism which signalizes this self-refutation, has, in either case, been able to convert assurance into scepticism,—'to turn the truth of God into a lie,'—

> Et violare *fidem primam,* et convellere tota
> Fundamenta quibus nixatur *vita salusque.*—LUCRET.

As psychology is only a developed consciousness, the positive philosopher has thus a primary presumption in favour of the elements out of which his system is constructed; while the sceptic or negative philosopher must be content to argue back to the

falsehood of these elements, from the impossibility which the dogmatist may experience, in combining them into the harmony of truth. For truth is one; and the end of philosophy is the intuition of unity. Scepticism is not an original or independent method; it is the correlative and consequent of dogmatism; and so far from being an enemy to truth, it arises only from a false philosophy, as its indication and its cure. *Alte dubitat, qui altius credit.* The sceptic must not himself *establish*, but from the dogmatist *accept*, his principles; and his conclusion is only a reduction of philosophy to zero, on the hypothesis of the doctrine from which his premises are borrowed.—Are the principles which a particular system involves, convicted of contradiction; or, are these principles proved repugnant to others, which, as facts of consciousness, every positive philosophy *must* admit; there is established a *relative scepticism*, or the conclusion, that philosophy, in so far as realized in this system, is groundless. Again, are the principles, which, as facts of consciousness, philosophy in general must comprehend, found exclusive of each other; there is established an *absolute scepticism*;—the impossibility of all philosophy is involved in the negation of the one criterion of truth. Our statement may be reduced to a dilemma. Either the facts of consciousness can be reconciled, or they cannot. If they cannot, knowledge absolutely is impossible, and every system of philosophy therefore false. If they can, no system which supposes their inconsistency can pretend to truth.

As a legitimate sceptic, Hume could not assail the foundations of knowledge in themselves. His reasoning is from their subsequent contradiction to their original falsehood; and his premises, not established by himself, are accepted only as principles universally conceded in the previous schools of philosophy. On the assumption, that what was thus unanimously admitted by philosophers, must be admitted of philosophy itself, his argument against the certainty of knowledge was triumphant.—Philosophers agreed in rejecting certain primitive beliefs of consciousness as false, and in usurping others as true. If consciousness, however, were confessed to yield a lying evidence in one particular, it could not be adduced as a creditable witness at all:—*falsus in uno, falsus in omnibus.* But as the reality of our knowledge necessarily rests on the assumed veracity of consciousness, it thus rests on an assumption implicitly admitted by all systems of philosophy to be illegitimate.

Faciunt, næ, intelligendo, ut nihil intelligant!

Reid did not dispute Hume's inference, *as deduced from its antecedents.* He allowed his scepticism, *as relative*, to be irrefragable;

and that philosophy could not be saved from *absolute* scepticism, unless his conceded premises could be disallowed, by refuting the principles universally acknowledged by philosophers. This he applied himself to do. He subjected these principles to a new and rigorous criticism. If his analysis be correct, it proved them to be hypotheses, on which the credulous sequacity of philosophers had bestowed the prescriptive authority of self-evident truths; and showed, that where a genuine fact of consciousness had been surrendered, it had been surrendered, in deference to some groundless assumption, which, in reason, it ought to have exploded. Philosophy was thus again reconciled with Nature; consciousness was not a bundle of antilogies; certainty and knowledge were not evicted from man.

All this Dr Brown completely misunderstands. He comprehends neither the reasoning of scepticism, in the hands of Hume, nor the argument from common sense, in those of Reid. Retrograding himself to the tenets of that philosophy, whose contradictions Hume had fairly developed into scepticism, he appeals against this conclusion to the argument of common sense; albeit that argument, if true, belies his hypothesis, and if his hypothesis be true, is belied by it. Hume and Reid he actually represents as maintaining precisely the same doctrine, on precisely the same grounds; and finds both concurring with himself, in advocating that very opinion, which the one had resolved into a negation of all knowledge, and the other exploded as a baseless hypothesis.

Our discussion, at present, is limited to a single question—to the truth or falsehood of consciousness in assuring us of the reality of a material world. In perception, consciousness gives as an ultimate fact, *a belief of the knowledge of the existence of something different from self.* As ultimate, this belief cannot be reduced to a higher principle; neither can it be truly analysed into a double element. We only believe that this something *exists*, because we believe that we *know* (are conscious of) this something as existing; and the belief of the *knowledge of the existence*, necessarily involves the *belief of the existence.* Both are original, or neither. Does consciousness deceive us in the former, it necessarily deludes us in the latter; and if the latter, *though* a fact of consciousness, be false; the former, *because* a fact of consciousness, is not true. The beliefs contained in the two propositions—

1. *I believe that a material world exists;*
2. *I believe that I immediately know a material world existing,* (in other words, *I believe that the external reality itself is the object of which I am conscious in perception*);—

though distinguished by philosophers, are thus virtually identical.

The belief of an external world, was too powerful, not to compel an acquiescence in its truth. But the philosophers yielded to nature, only in so far as to coincide in the dominant result. They falsely discriminated the *belief in the existence*, from the *belief in the knowledge*. With a few exceptions, they held fast by the truth of the first; but, on grounds to which it is not here necessary to advert, they concurred, with singular unanimity, in abjuring the second. The object of which we are conscious in perception, could only, they explicitly avowed, be a representative image present to the mind;—an image which, they implicitly confessed, we are necessitated to regard as identical with the unknown reality itself. Man, in short, upon the common doctrine of philosophy, was doomed by a perfidious nature to realize the fable of Narcissus; he mistakes self for not-self,

'—— *corpus* putat esse quod umbra est.'

To carry these principles to their issue was easy—and scepticism in the hands of Hume was the result. The absolute veracity of consciousness was invalidated by the falsehood of one of its facts; and the belief of the *knowledge*, assumed to be delusive, was even supposed in the belief of the *existence*, admitted to be true. The uncertainty of knowledge in general, and in particular, the problematical existence of a material world, were thus legitimately established.—To confute this reduction on the conventional ground of the philosophers, Reid saw to be impossible; and the argument which he opposed, was, in fact, immediately subversive of the dogmatic principle, and only mediately of the sceptical conclusion. This reasoning was of very ancient application, and had been even long familiarly known by the name of the *argument from common sense*.

To argue from common sense is nothing more than to render available the presumption in favour of the original facts of consciousness,—*that what is by nature necessarily* BELIEVED *to be, truly* IS. Aristotle, in whose philosophy this presumption obtained the authority of a principle, thus enounces the argument:—'What *appears to all*, that we affirm *to be*; and he who rejects this 'belief, will, assuredly, advance nothing better worthy of credit.' (*Eth. Nic. L. x. c.* 2.) As this argument rests entirely on a presumption; the fundamental condition of its validity is, that this presumption be not disproved. The presumption in favour of the veracity of consciousness, as we have already shown, is redargued by the repugnance of the facts themselves, of which consciousness is the complement; as the truth of all can only be vindicated on the truth of each. The argument from common

sense, therefore postulates, THAT OUR ORIGINAL BELIEFS BE NOT PROVED SELF-CONTRADICTORY.

The harmony of our primary convictions being supposed, the argument from common sense is decisive against every deductive inference not in unison with them. For as every conclusion is involved in its premises, and as these again must ultimately be resolved into some original belief; the conclusion, if inconsistent with the primary phænomena of consciousness, must, *ex hypothesi*, be inconsistent with its premises, *i. e.* be logically false. On this ground, our convictions *at first hand*, peremptorily derogate from our convictions *at second*. 'If we know and believe,' says Aristotle, 'through certain original principles, we must know 'and believe these with *paramount certainty*, for the very reason 'that we know and believe all else through them;' and he elsewhere observes, that our approbation is often rather to be accorded to what is revealed by nature as actual, than to what can be demonstrated by philosophy as possible:—*προσέχειν δὲ δεῖ πάντα τοῖς διὰ τῶν λόγων, ἀλλὰ πολλάκις μᾶλλον τοῖς φαινομένοις.**

Novimus certissima scientia, et clamante conscientia, (to apply the language of Augustine,) is thus a proposition, either *absolutely true* or *absolutely false*. The argument from common sense, if not omnipotent, is powerless: and in the hands of a philosopher by whom its postulate cannot be allowed, its employment, if not suicidal, is absurd.—These principles established, we proceed to their application.

Dr Brown's error, in regard to Reid's doctrine of perception, involves the other, touching the relation of that doctrine to Hume's sceptical idealism. On the supposition that Reid views in the immediate object of perception a mental modification, and not a material quality, Dr Brown is fully warranted in asserting, that he left the foundations of idealism, precisely as he found them. Let it once be granted, that the object known in perception, is not convertible with the reality existing; idealism reposes in equal security on the hypothesis of a representative perception,—whether the representative image be a modification of consciousness itself,—or whether it have an existence independent either of mind or of the act of thought. The former indeed as the simpler basis, would be the more secure; and, in point of fact, the egoistical idealism of Fichte, resting on the third form of representation, is less exposed to criticism than the theologi-

* Jacobi (*Werke*, II. *Vorr.* p. 11, ets.) following Fries, places Aristotle at the head of that absurd majority of philosophers, who attempt to demonstrate every thing. This would not have been more *sublimely false*, had it been said of the German Plato himself.

cal idealism of Berkeley, which reposes on the first. Did Brown not mistake his doctrine, Reid was certainly absurd in thinking, that a refutation of idealism is involved in his refutation of the common theory of perception. So far from blaming Brown, on this supposition, for denying to Reid the *single* merit which that philosopher thought peculiarly his own; we only reproach him for leaving to Reid and to himself, any possible mode of resisting the idealist at all. It was a monstrous error to reverse Reid's doctrine of perception; it is perhaps a greater, not to see that this reversal stultifies the argument from common sense; and that so far 'from proceeding on safe ground' in an appeal to our original beliefs, Reid would have employed, as Brown has actually done, a weapon *harmless to the sceptic*, but *mortal to himself.*

The belief, says Dr Brown, in the existence of an external world is *irresistible*, therefore it is *true*. On his doctrine of perception, which he attributes also to Reid, this inference is however incompetent, because on that doctrine he cannot fulfil the condition which the argument implies. *I cannot but believe that material things exist:—I cannot but believe that the material reality is the object immediately known in perception.* The former of these beliefs, explicitly argues Dr Brown, in defending his system against the sceptic, *because irresistible, is true.* The latter of these beliefs, implicitly argues Dr Brown, in establishing his system itself, *though irresistible, is false.* And here not only are two primitive beliefs, supposed to be repugnant, and consciousness therefore delusive; the very belief which is assumed as true, exists in fact only through the other, which, *ex hypothesi*, is false. Both in reality are one.* Kant, in whose doctrine as in Brown's the ob-

* This reasoning can only be invalidated either, 1. By disproving the *belief* itself *of the knowledge*, as a fact; or 2. By disproving its attribute of originality. The latter is impossible; and if possible would also annihilate the originality of the *belief of the existence*, which is supposed. The former alternative is ridiculous. That we are naturally determined to believe the object known in perception, to be the external existence itself, and that it is only in consequence of a *supposed philosophical necessity*, we subsequently endeavour by an artificial abstraction to discriminate these, is admitted even by those psychologists, whose doctrine is thereby placed in overt contradiction to our original beliefs. Though perhaps superfluous to allege authorities in support of such a point, we refer, however, to the following, which happen to occur to our recollection.—Descartes, *De Pass. art.* 26.—Mallebranche, *Rech. l. iii. c.* 1.—Berkeley, *Works*, i. p. 216, and quoted by Reid, *Ess. I. P.* p. 165.—Hume, *Treat. H. N. i.* pp. 330. 338. 353. 358. 361. 369. *orig. ed.*—*Essays, ii.* pp. 154. 157. *ed.* 1788.—As not generally accessible, we trans-

ject of perception constitutes only a subjective phænomenon, was too acute, not to discern that on this hypothesis, philosophy could not, without contradiction, appeal to the evidence of our elementary faiths.—'Allowing idealism,' he says, 'to be as dangerous 'as it truly is, it would still remain a *scandal to philosophy* and 'human reason in general, to be compelled to accept the exist-'ence of external things on the testimony of mere *belief*.'*

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late the following extracts.—SCHELLING (*Ideen zu einer Philosophie der Natur. Einl.* p. xix. 1*st ed.*)—'When (in perception) I represent an object, *object* and *representation are one and the same.* And simply in this our *inability to discriminate the object from the representation* during the act, lies the conviction which the common sense of mankind (gemeine verstand) has of the reality of external things, although these become known to it, only through representations.' (See also p. xxvi.)—We cannot recover, at the moment, a passage, to the same effect, in Kant; but the ensuing is the testimony of an eminent disciple.—TENNEMANN, (*Gesch. d. Phil. II.* p. 294.) speaking of Plato: '*The illusion that things in themselves are cognisable, is so natural*, that we need not marvel if even philosophers have not been able to emancipate themselves from the prejudice. The common sense of mankind (gemeine menschenverstand) which remains steadfast *within the sphere of experience*, recognises *no distinction* between *things in themselves* [unknown reality existing] and *phænomena* [representation, object known]; and the philosophizing reason commences therewith its attempt to investigate the foundations of this knowledge, and to recall itself into system.'—See also JACOBI'S *David Hume, passim*, (*Werke*, ii.) *and his Allwills Briefsammlung*, (*Werke*, i. p. 119. *etc.*) Reid has been already quoted.

* *Cr. d. r. V.*—*Vorr.* p. xxxix. Kant's marvellous acuteness did not however enable him to bestow on his '*Only possible demonstration of the reality of an external world*,' (*ibid. p.* 275, *etc.*) even a logical necessity; nor prevent his *transcendental*, from being apodeictically resolved (by Jacobi and Fichte) into *absolute*, idealism. In this argument, indeed, he collects more in the conclusion, than was contained in the antecedents; and reaches it by a double *saltus*, overleaping the foundations both of the egoistical and mystical idealists.—Though Kant, in the passage quoted above and in other places, apparently abuses the common sense of mankind, and altogether rejects it as a metaphysical principle of truth; he at last, however, found it necessary (in order to save philosophy from the annihilating energy of his *Speculative Reason*) to rest on that very principle of an ultimate belief, which he had originally spurned as a basis even of a material reality—the reality of all the sublimest objects of our interest—God, Free Will, Immortality, &c. His *Practical Reason*, as far as it extends, is in truth only another (and not even a better) term for *Common Sense.* Fichte, too, escaped the *admitted nihilism* of his speculative philosophy, only by a similar inconsequence in his practical.—(See his *Bestimmung des Menschen.*) *Naturam expellas furca, &c.*

But Reid is not, like Brown, *felo de se* in his reasoning from our natural beliefs; and on his genuine doctrine of perception, the argument has a very different tendency. Reid asserts that his doctrine of perception is itself a confutation of the ideal system; and so it truly is. For it at once denies to the sceptic and idealist the premises of their conclusion; and restores to the realist, in its omnipotence, the argument of common sense. The sceptic and idealist can only found on the admission, that the *object known* is not convertible with the *reality existing*; and, at the same time, this admission, by placing the facts of consciousness in mutual contradiction, denies its postulate to the argument from our beliefs. Reid's analysis therefore in its result, THAT WE HAVE, AS WE BELIEVE WE HAVE, AN IMMEDIATE KNOWLEDGE OF THE MATERIAL REALITY, accomplished every thing at once.

Dr Brown is not, however, more erroneous in thinking that the argument from common sense *could* be employed by him, than in supposing that its legitimacy *was* admitted by Hume. So little did he suspect the futility, in his own hands, of this proof, he only regards it as superfluous as opposed to that philosopher, who, he thinks, in allowing the belief in the existence of matter to be *irresistible*, allows it to be *true*. (Lect. xxviii.) Dr Brown has committed, perhaps, more *important* mistakes than this, in regard to scepticism and to Hume;—none certainly more fundamental. Hume is converted into a dogmatist; the essence of scepticism is misconceived.

On the hypothesis *that our natural beliefs are fallacious*, it is not for the Pyrrhonist to reject, but to establish their authenticity; and so far from the admission of their strength being a surrender of his doubt, the very triumph of scepticism consists in proving them to be *irresistible*. By what demonstration is the foundation of all certainty and knowledge so effectually subverted, as by showing that the principles, which reason constrains us speculatively to admit, are contradictory of the facts, which our instincts compel us practically to believe? Our intellectual nature is thus seen to be divided against itself; consciousness stands self-convicted of delusion. 'Surely we have eaten 'the fruit of lies!'

This is the scope of the 'Essay on the Academical or Sceptical 'Philosophy,' from which Dr Brown quotes. In that essay, previous to his quotation, Hume shows, on the admission of philosophers, that our *belief in the knowledge* of material things, *as impossible, is false*; and on this admission, he had irresistibly established the *speculative* absurdity of our belief in the existence of an exter-

nal world. In the passage, on the contrary, which Dr Brown *partially* extracts, he is showing that this idealism, which in *theory* must be admitted, is in *application* impossible. Speculation and practice, nature and philosophy, sense and reason, belief and knowledge, thus placed in mutual antithesis, give, as their result, the uncertainty of every principle; and the assertion of this uncertainty is—Scepticism. This result is declared even in the sentence, with the preliminary clause of which, Dr Brown abruptly terminates his quotation.

But allowing Dr Brown to be correct in transmuting the sceptical nihilist into a dogmatic realist; he would still be wrong (on the supposition that Hume admitted the *truth* of a belief to be convertible with its *invincibility*) in conceiving, on the one hand, that Hume could ever acquiesce in the same inconsequent conclusion with himself; or, on the other, that he himself could, without an abandonment of his system, acquiesce in the legitimate conclusion. On this supposition, Hume could only have arrived at a similar result with Reid; there is no tenable medium between the *natural realism* of the one and the *sceptical nihilism* of the other.—'Do you follow,' says Hume in the same essay, 'the instincts and propensities of nature in assenting 'to the veracity of sense?'—I do, says Dr Brown. (Lect. p. 176. alibi.)—'But these,' continues Hume, 'lead you to 'believe that the *very perception or sensible image is the external* 'object. Do you *disclaim this principle* in order to embrace a 'more rational opinion, that the perceptions are only repre-'sentations of something external?'—It is the vital principle of my system, says Brown, that the mind knows nothing beyond its own states (Lect. passim); philosophical suicide is not my choice; I must recall my admission, and give the lie to this natural belief.—'You here,' proceeds Hume, 'depart from 'your natural propensities and more obvious sentiments; and 'yet are not able to satisfy your reason, which can never find 'any convincing argument from experience to prove, that 'the perceptions are connected with any external objects.'—I allow, says Brown, that the existence of an external world cannot be proved by *reasoning*, and that the sceptical argument admits of no logical reply. (Lect. p. 175.)—But (we may suppose Hume to conclude) as you truly maintain that the confutation of scepticism can be attempted only in *two* ways (ibid.); —either by showing that its arguments are inconclusive, or by opposing to them, as paramount, the evidence of our natural beliefs;—and as you now, voluntarily or by compulsion, abandon *both*, you are confessedly reduced to the dilemma, either of

acquiescing in the conclusion of the sceptic, or of refusing your assent upon no ground whatever.—*Pyrrhonism* or *absurdity?*—choose your horn.

Were the scepticism into which Dr Brown's philosophy is thus analyzed, confined to the negation of matter, the result would be comparatively unimportant. The transcendent reality of an outer world, considered absolutely, is to us a matter of supreme indifference. It is not the idealism itself, that we must deplore; but the mendacity of consciousness which it involves. Consciousness, once convicted of falsehood, an unconditional scepticism, in regard to the character of our intellectual being, is the melancholy but only rational result. *Any* conclusion may now with impunity be drawn against the hopes and dignity of human nature. Our Personality, our Immateriality, our Liberty, have no longer an argument for their defence. 'Man 'is the dream of a shadow;' God is the dream of that dream. Dr Brown, after the best philosophers, rests the proof of our personal identity and of our mental individuality on the ground of beliefs, which, as 'intuitive, universal, immediate, and irre-'sistible,' he, not unjustly, regards as 'the internal and never-'ceasing voice of our Creator—revelations from on high, omni-'potent [and veracious] as their author.' *To him* this argument is however incompetent, as contradictory.

What we know of self or person, we know only as given in consciousness. In our perceptive consciousness there is revealed as an ultimate fact a *self* and *not-self;* each given as independent—each known only in antithesis to the other. No belief is more '*intuitive, universal, immediate, or irresistible,*' than that this antithesis is real and known to be real; no belief therefore is more true. If the antithesis be illusive, *self* and *not-self, subject* and *object, I* and *Thou* are distinctions without a difference; and consciousness, so far from being 'the 'internal voice of our Creator,' is shown to be, like Satan, 'a 'liar from the beginning.' The reality of this antithesis in *different parts* of his philosophy Dr Brown *affirms and denies.* In establishing his theory of perception, he articulately denies that mind is conscious of aught beyond itself; virtually asserts that what is there given in consciousness as *not-self* is only a phænomenal illusion—a modification of self, which our consciousness determines us to believe is the quality of something numerically and substantially different.

Ille ego sum sensi, sed me mea fallit imago.

After this implication in one part of his system that our belief

in the distinction of self and not-self is nothing more than the deception of a lying consciousness; it is startling to find him, in another, appealing to the beliefs of this same consciousness as to 'revelations from on high;'—nay, in an especial manner alleging 'as the voice of our Creator,' this very faith in the distinction of self and not-self, through the fallacy of which, and of which alone, he had elsewhere argued consciousness of falsehood.

On the *veracity* of this *mendacious* belief, Dr Brown establishes his proof of our PERSONAL IDENTITY. (Lect. xii.—xv.) Touching the object of perception, when its evidence is *inconvenient*, this belief is quietly passed over as incompetent to distinguish *not-self from self;* in the question regarding our personal identity, where its testimony is *convenient*, it is clamorously cited as an inspired witness, exclusively competent to distinguish *self from not-self*. Yet, why, if, in the one case, it mistook *self* for *not-self*, it may not, in the other, mistake *not-self* for *self*, would appear a problem not of the easiest solution.

The same belief, with the same inconsistency, is again called in to prove the INDIVIDUALITY OF MIND. (Lect. xcvi.) But if we are fallaciously determined, in perception, to believe what is supposed *indivisible*, *identical*, and *one*, to be *plural* and *different* and *incompatible*, (self = self + not-self); how, on the authority of the same treacherous conviction, dare we maintain, that the *phænomenal unity of consciousness* affords a guarantee of the *real simplicity of the thinking principle*? The materialist may now contend, without fear of contradiction, that *self* is only an *illusive phænomenon;* that our consecutive identity is that of the Delphic ship, and our present unity merely that of a system of co-ordinate activities. To explain the phænomenon, he has only to suppose, as certain theorists have lately done, an organ to tell the lie of our personality; and to quote as authority for the lie itself, the perfidy of consciousness, on which the theory of a representative perception is founded.

On the hypothesis of a representative perception, there is, in fact, no salvation from materialism on the one side, short of idealism on the other. Our knowledge of *mind* and *matter*, as substances, is merely relative; they are known to us only in their qualities; and we can justify the postulation of *two different substances*, exclusively on the supposition of the incompatibility of the double series of phænomena to coinhere in *one*. Is this supposition disproved?—the presumption against dualism is again decisive. *Entities are not to be multiplied without necessity; A plurality of principles is not to be assumed where the phænomena can be explained by one.* In Brown's theory of perception, he abo-

lishes the incompatibility of the two series; and yet his argument, as a dualist, for an immaterial principle of thought, proceeds on the ground, that this incompatibility subsists. (Lect. xcvi. pp. 646, 647.) This philosopher denies us an immediate knowledge of aught beyond the accidents of mind. The accidents which we refer to body, as known to us, are only states or modifications of the percipient subject itself; in other words, the qualities we call *material*, are known by us to *exist*, only as they are known by us to *inhere in the same substance as the qualities we denominate mental.* There is an *apparent* antithesis but a *real identity.* On this doctrine, the hypothesis of a double principle losing its necessity, becomes philosophically absurd: and on the law of parsimony, a psychological unitarianism is established. To the argument that the qualities of the *object* are so repugnant to the qualities of the *subject* of perception, that they cannot be supposed the accidents of the same substance, the unitarian—whether materialist, idealist, or absolutist—has only to reply, that so far from the attributes of the object, being exclusive of the attributes of the subject, in this act; that the hypothetical dualist himself establishes, as the fundamental axiom of his philosophy of mind, *that the object known is universally identical with the subject knowing.* The materialist may now derive the subject from the object; the idealist derive the object from the subject; the absolutist sublimate both into indifference, nay, the nihilist subvert the *substantial* reality of either:—the hypothetical realist so far from being able to resist the conclusion of any, in fact accords their assumptive premises to all.

The same contradiction would, in like manner, invalidate every presumption in favour of our Liberty of Will. But as Dr Brown throughout his scheme of ethics advances no argument in support of this condition of our moral being, which his philosophy otherwise tends to render impossible, we shall say nothing of this consequence of hypothetical realism.

So much for the system, which its author imagines, '*allows* '*to the sceptic no resting place for his foot,—no fulcrum for the in-*'*strument he uses*:' so much for the doctrine which Brown would substitute for Reid's;—nay, which he even supposes Reid himself to have maintained.

Scilicet hoc totum falsa ratione receptum est!

ART. X.—1. *Memoir concerning the Origin and Progress of the Reform proposed in the Internal Government of the Royal Burghs of Scotland.* By ARCHIBALD FLETCHER, Esq. Advocate. 8vo. Edinburgh: 1819.

2. *Considerations submitted to the Householders of Edinburgh, on the State of their Representation in Parliament.* 8vo. Edinburgh: 1823.

3. *An Explanation of the Present State of the Case respecting the Representation of Edinburgh in Parliament.* 8vo. Edinburgh: 1826.

4. *Letter to the Freeholders of the County of Dumbarton, on Parliamentary Reform.* By Alexander Dunlop, Esq. Advocate. 8vo. Edinburgh; 1830.

THERE is scarcely a prospect in the world more curious than that of England during a general election. The congregations of people—the interests called into operation—the passions roused—the principles appealed to—the printed and spoken addresses—the eminent men who appear—the pledges required or proffered—the Parliamentary speculations—the symbols—the vicissitudes of the poll—the triumphant chairing—these, with all the other circumstances, exhibit the most peculiar and stirring scene that any country has to show. It is a scene in which there is much to attract the eye and the ear, but more to fix the mind. A person who understands the bustle before him, and thinks what it implies, sees in it the whole practical working of the constitution. He sees the majesty of public opinion; the responsibility of representatives to constituents; the formation of the political virtues; the union of all classes and sorts of men in common national objects; the elevation of the popular character; the prodigious consolidation given to the whole civil fabric, by the incorporation of all parts of the state with the mass of the population; the combination of universal excitement with perfect general safety; the control of the people softened and directed by eloquence and wisdom; the establishment of the broadest basis on which the happiness of a state can rest.

It is impossible to behold this animating and ennobling spectacle without turning with sorrow and humiliation to Scotland. This part of the empire originally formed a kingdom by itself; and it still retains its own laws, religion, interests, feelings, and language. It contains greatly above two millions of inhabitants; who are still rapidly increasing. It is full of generally diffused wealth. Education has, for ages, been habitual throughout the

very lowest ranks. The people are extremely peaceable; and their character for steadiness and prudence is so remarkable, that these virtues have been imputed to them as vices. Yet this is the only portion of the United Kingdom which is altogether excluded from all participation in the representative system. It is not enough to say that their representation is defective. The only correct statement of the fact is, that *the people have no share whatever in the representation.* It is needless to waste time in explaining how this arose; for it would only lead us away from the consideration of the fact into historical disputes; and an exact knowledge of the origin of the evil does not facilitate its cure. The substance of the matter seems to be, that when the representation of Scotland was adjusted at the Union, there was no party, and no man, who paid any attention to the principles on which popular representation must be founded. The people had not attained any public importance; and, amidst the miserable scramble for paltry and temporary objects by which all the proceedings connected with that measure were marked, their remote interests were completely disregarded, or rather, it never occurred to any body that they had any. But, however this may be, the result is certain, that there never has been, and while the existing system endures, there never can be, any thing resembling real representation in Scotland.

In order to justify this statement, it is only necessary to explain the circumstances.

The only places which elect members are the counties and certain towns. Neither the universities, nor any other bodies or professions, possess the elective franchise. The counties return thirty members, the towns fifteen.

I. To entitle a person to vote *in a county*, he must either be the actual proprietor of a portion of land, or he must be the feudal superior of it—the land itself, in this last case, being in the hands of a vassal. To afford a qualification, the property must be very considerable. The whole country was valued many centuries ago; and a freehold qualification can only arise from land of which it can be proved that it was then examined and found to be worth forty shillings Scots a-year, or which is now valued by the Commissioners of Supply as yearly worth L.400 Scots. It is not easy to say what these ancient valuations denote in modern times; but the subject was very much discussed about forty years ago; and persons who were then deemed competent judges, estimated L.400 Scots of valued rent, as equivalent to a present yearly rent of from one to two hundred pounds sterling. If this was correct then, the subsequent improvement of the country, which has increased the modern

worth of property, while the old valuations remain, must have greatly increased the difference; so that, speaking with reference to existing circumstances, *the qualification in Scotland is probably at least thirty or forty times higher than in any other part of the empire; and above a hundred times beyond the general qualification in England.* Besides this, there are two things very material to be kept in view. In the *first* place, the qualification attaches *merely to land*, including under this word, fisheries, mines, and such other things as are inseparable from land; it is not conferred upon property in houses. In the *second* place, not even land qualifies, whatever may be its extent, *unless it is holden of the crown.* So that a person may have an estate of L.20,000 a-year, which affords him no vote, because he holds it of a subject. The qualification, therefore, is first high, and then it must be high within a limited description of property.

The result of this is, that the whole freeholders of Scotland are fewer in number (we believe) than those in any English county, unless perhaps the very smallest. There are certainly not three counties in England in which the freeholders do not in each exceed those of all Scotland. We cannot state their amount with perfect accuracy; but, according to the list usually referred to, and which, we are confident, is not very far wrong, the total number, a few months ago, was somewhere about *three thousand two hundred and fifty-three.* These chosen few are thus distributed:—

1. Aberdeen	182	9. Dunbarton	72	20. Linlithgow	69
2. Argyle	119	10. Dumfries	84	21. Orkney	41
3. Ayr	202	11. Edinburgh	166	22. Peebles	48
4. Banff	49	12. Elgin	31	23. Perth	237
5. Berwick	151	13. Fife	236	24. Renfrew	142
6. Bute	21	14. Forfar	122	25. Ross	82
* Caithness	50	15. Haddington	109	26. Roxburgh	151
7. Clackmannan	16	16. Inverness	84	27. Selkirk	53
* Kinross	21	17. Kincardine	77	28. Sutherland	21
8. Cromarty	19	18. Kirkcudbright	161	29. Stirling	128
* Nairne	17	19. Lanark	222	30. Wigton	70

(* Each of these three pairs only returns a member alternately.)

But calling the total number about 3253, is rather a flattering view of the political state of Scotland. Two deductions must be made: 1. There are a great many cases in which the freehold belongs to a proprietor, but is entitled to be used during life by another. The names of both of these persons are on the rolls, but only one of them can vote. 2. Many people have votes in a

plurality of places. If these double reckonings be discounted, it is very doubtful if the total number of persons would be above 2500. Some think that they would not exceed 2000.

A franchise so little attenuated by diffusion, is worth having. The tenth or two-hundredth part of a member of parliament is a dear article in the political market. The holder of it is an important man to government. Some people therefore buy votes as an investment. There is never a contest at which such purchasers do not appear; and they are generally the last to declare how they are to go. It is observed, moreover, that those who take such charge of the representation, seldom have their families long on their hands. These qualifications, even after being stript of every thing except the mere right of voting, are probably never worth less than L.200 or L.300,—the average price is probably about L.500; they frequently sell for double this sum; and, on one recent occasion, six of them, exposed to public sale in one day, brought above L.6000. What is so valuable cannot be easily parted with; and, therefore, devices have been fallen upon for giving out qualifications for occasional use, without permanently losing them. The most common of these schemes is, for a person whose estate affords many votes to dispose of them to his friends *only during their lives;* which, by certain legal forms, he can easily do, without at all impairing his estate. These donees, or purchasers, appear technically as the absolute life-owners; but they are generally under feelings nearly as strong as written obligations, to support the person who has trusted them. And then, lest these qualifications should be lost to the family, it is lawful to *entail* them along with the family estate. So that a great landed proprietor may first be surrounded by his own satellites while his attraction lasts; after which, the lesser stars return and are lost in their parent luminary; who again sends them periodically forth to perform the same evolutions. Although the present number of voters be only about 3253, yet, if all the latent voters were to be brought into action, they could be very greatly increased. But still the increase would take place on the same principle of each landed proprietor merely multiplying his friends, without holding out any prospect of relief to the public.

II. In the *towns*, the system is different, but not better. There are sixty-six places, which, in consequence of their municipal constitution, and their holding of the crown, are termed royal burghs. Of these, Edinburgh is the only one which returns a member for itself. All the rest are divided into clusters either of four or five; and these four or five return one member among them. Many of these places are so insignificant, that their share in the representation is the only thing which reminds the

public that they exist, and (somehow or other) constitutes their only wealth. And, on the other hand, there are many very large places, such as Leith and Greenock, with about 25,000 or 30,000 inhabitants each, and Paisley with 50,000, which do not contribute to return any fragment of a member; because, although great towns, they are not royal burghs. The mode of electing in these burghs is this: The town-council of each elects a delegate, and these four or five delegates from each cluster meet, and choose the member. Each delegate is appointed on the faith that he will vote agreeably to the wishes of those who trust him; but he is not legally bound to do so; and these delegates sometimes find it convenient to take their own way. When a fit of this kind comes upon them, the member is elected by these four or five individuals;—when they are faithful, he is chosen by a majority of those persons' constituents.

Now, in the appointment of these constituents, the people have no voice whatever. Nothing can be more close than the most liberally constituted Scotch town-council; of which the universal, the hideous, the ludicrous, and the peculiar feature is, that each set of magistrates elects its own successors; to the utter exclusion of the rest of the public, and to the eternal perpetuation of their own feelings. Nothing can be fairer than to take Edinburgh as an example of the whole; because it is amongst the best, and has an entire member for itself. Now, in Edinburgh, the town-council consists of only thirty-three individuals, which is considerably above the usual number. The sum total of the property of these persons within the town was rated, when it was last examined, at about L.2800 a-year. These thirty-three individuals, or rather a majority of them, have the absolute power of electing the member who is to represent a population far exceeding 100,000, and possessing property rated at above L.400,000 a-year; or, in other words, the right of voting is engrossed by less than the three-thousandth part of the population, and by about the one hundred and fiftieth part of the real property. This population contains above 1200 merchant burgesses; above 2000 persons connected with the profession of the law; at least 150, including professors in the university, engaged in the higher branches of education; a clergy of about sixty or seventy persons; and at least a hundred of the medical and other learned professions;—*not one of whom has a single word to say in the election either of the member or of the town-council.* It is town-councils so constituted that elect all the delegates.

It is important to observe that this system, both with respect to the counties and the burghs, *is the only one that exists.* The

chief ground on which the defects in the English representation have been defended, is, that the closeness of one place is compensated by the openness of another—there being still popularity enough upon the whole. Neither Burke, nor Blackstone, nor any one who has excused these defects, ever carry their apology beyond this. But *in Scotland there is no popularity at all* in any one place. It is all close burgh or close county.

It is therefore unnecessary to explain that the people of Scotland scarcely feel any interest in the election of what are called their representatives. They are not taken into calculation by the parties engaged; and, having no right to interfere, the expression even of their opinion is generally considered obtrusive and dangerous. While every other part of the empire is teeming with life, they are dead. The candidates and their friends take the only concern in the proceedings; and the ceremony of an election, and the substance of a dinner, are gone through with due animation by them. But the people are left entirely out of view; and, conscious of degradation, withdraw from a scene where they can only exhibit themselves in humiliating contrast with others certainly not better educated, and not necessarily wealthier, than themselves. The hustings, which could not be put down without putting down England, are things that Scotland never saw. The county freeholders always meet under cover; sometimes in a church, but generally in a room; and the four or five town electors burrow in holes still more obscure. The whole fifteen members of all the sixty-six burghs are always chosen on the same day; yet, in so far as the public is concerned, no day passes more entirely like another. If it were not from seeing the circumstance mentioned casually in the newspapers next day, the very fact that a member had been elected would often not be known to those living in the same street. The burgh delegates merely take the oaths, vote, and depart. The county freeholders are much more operose. They sometimes wear out both the day and the night before their incubation be over. But, instead of discussing public measures, or men, they are engaged in wrangling about feudal niceties, and trying to pick or vote holes in deeds. The scene resembles a meeting of attorneys, endeavouring to overreach each other in a set of conveyances.

These are the facts.—Their consequences are inseparable from the system, and are marked by the deepest lines. Few intelligent persons will require to be told what these consequences must be. They will see them all flowing obviously and necessarily from the single fact of the paucity of the electors. There are others, however, who may wish to hear them more particularly traced,

For the satisfaction of these persons, let us look at the system as it affects the *electors*, the *representatives*, and the *people*. Not as it affects, or has heretofore affected, the conduct of any individuals—for we refer to nothing personal—but as, in principle, it must have a tendency to affect all men of every description on whom it operates.

I. No body of *electors* can possibly accomplish the objects of its institution, if it be either so small that it bears no proportion to the rest of the people, or is so peculiarly constituted that it can have little sympathy with them. If mere honesty and intelligence (the qualities supposed to distinguish select constituents) were sufficient, all that would be wanted would be to find a few honest and sensible men, or even one. But what security is afforded for the continuance of these qualities, or for the people's belief in them? There is no such security *without numbers and publicity*;—the first of which excludes the possibility of universal corruption, while the second exposes every one to the direct operation of that public opinion, which seems to be the only effectual guardian either of reason or of honour. The very circumstance of electors being cut off from the rest of the public, and set aside to exercise a high and invidious privilege, is of itself fatal to them. Half their virtues are inspired by community. Those who make no common cause with the people, must be ignorant or regardless of their interests; and with whatever purity or zeal they may strive to do their duty, they can never, in dignified solitude, acquire the right elective feelings.

A Scotch elector finds himself the possessor of a privilege which he owes solely to his being a landholder or a member of a town-council. This narrows him to a sympathy with one or other of these particular classes. The value of his privilege is diminished by dissemination; and therefore his interest is to keep it exclusive. The possessors are so few, and their interest so peculiar, that each of them is strongly and irresistibly influenced by the corporation spirit. He sees himself surrounded by the people, who, he is aware, cannot like a sect which is only favoured on the principle that all others are unworthy of trust. The jealousy of which he is the object recurs upon himself. He considers the people as, in this matter, his natural opponents, and regards even their approbation, not as an object of ambition, but as an encroachment on his right. In the exercise of this right, he may possibly act with perfect purity. But great is his merit if he does so. For he has no publicity to check him; and he knows best how many there are within the circle of his brethren, who can venture to throw the first stone. He has paid, or could get, a large price for his freehold, or its use;—

and it is not unnatural that the master of an article for which there is a keen demand, should look out for the highest purchaser. Or he has got it gratuitously from the pledging kindness of a friend, and he can scarcely employ it otherwise than as that friend may wish. It is needless to enquire how these votes, so steeped in temptation, have been generally bestowed; because the true objection to them is, not that in time past they have been abused, but that no safe electors can ever be formed out of such materials. Although the conduct of the Scotch ones had been the very reverse of what it has been, or were hereafter to be any thing that may be supposed, the inherent objection to them would be precisely the same. They cannot have a public heart.

Nothing, accordingly, can be more certain, than that their opinions are not only no index of the opinions of the public, but that these are generally in conspicuous contrast. What is of less weight in Scotland than the resolutions of a town-council, or of a meeting of freeholders? What would be of more weight, if these bodies were constituted as they ought to be? But they are so constructed, that, even at general elections, they are sensible of the operation of only two interests—that of government, and that of some individual of great local influence. The third interest, which belongs to the popular party, and is so familiar and so useful elsewhere, exists, and sometimes predominates, in the country; but though it may be brought in as an auxiliary, it has no recognised or prevailing operation among almost any body of our electors. What is recognised among them, is government and the adjoining large proprietor. Among voters, who are so few, and each with his feelers out, the power of government is acknowledged in all places, at all times, and, when not counteracted by the local family, is absolute. This family is sometimes in opposition, or, without being in open opposition, patronises liberal opinions. Whenever this happens, it is sure to be joined by the really independent party; and, *in so far as elections are concerned*, this wretched ground is all that party has to stand upon. The provincial great man sometimes domineers so much, that his own troops mutiny, and defeat him by deserting to the king. But, in whatever way these two may play with, or be played against, each other, they form the only practically effective interests. It is a conclusive fact against the Scottish system, that no man can, by almost any possibility, enter the walls of Parliament, for a Scotch place, except on one or other of these two interests. *We do not believe that any one member was ever returned by any body of Scotch electors, solely in consequence of his public character or services.* On the contrary, it is a result with which we are quite familiar, that (unless under a combination of

circumstances, so rare that it cannot be reasoned from); whenever the most meritorious public servant ceases to be backed by government, or by the commanding influence of the local family, that instant he is on the wane as a Scotch member. There have been occasional exceptions; but they are very rare, and nearly miraculous; and not one of them has been owing purely to the force of public opinion penetrating the electors. Hence it is, that Scotchmen, rejected by the electors of Scotland, are often received with acclamation by the electors of England, and that our most distinguished public men, instead of appearing in their natural position, as representatives of their native country, are obliged to give the honour of choosing them to strangers. No man who has nothing but his public services or character to recommend him, need ever dream of a Scotch seat. On what ground should he? Would public services give any man a seat in England, if there were only about a few dozens of voters allotted to each county or town; all of whom made their arrangements with candidates privately before the election, and were only brought into a room to be counted? Under such a system, instead of the moving of great national interests, the tactics of Parliamentary parties, and all that gives dignity to a real election,—there would be low manœuvring,—degrading conditions,—criminal understandings,—paltry truckling,—personal perfidy. How far these do actually blacken the subterranean mysteries of a Scotch election, we have no inclination to know or to state. We have always observed, however, that those who have been best acquainted with the scene, have generally come out of it with the greatest disgust; especially if they entered into it gentlemen, and for pure objects. Nothing can be more erroneous, however, than the conclusion, that this is shameful to our electors. It is only shameful to the system which exposes them to the corruptions, while it removes them from the checks, of elections. The better-founded wonder is, that there should be so many honourable examples of fidelity to friendship and to principles as there are. Place the firmest patriots on earth in the same situation, and they would very speedily get into the habit of acting in the very same way.

II. In England and in Ireland, Parliament is the great theatre for ability and public spirit. Men of talent and ambition betake themselves to that sphere, on the same principles and hopes which attract to any other line of fame or usefulness. If they be qualified to distinguish themselves, they are certain that the great variety of interests and of seats with which the countries abound, will afford them ample opportunities, whatever may be their opinions or views. They may be resisted by government, and

by all powerful individuals, and not strongly supported even by any of the leading parties; still there are innumerable places where they can always appeal to the people, by whom public character is rarely misunderstood, and public services rarely forgotten. They therefore train themselves to that line, or are easily led into it; and, whether they succeed in their canvass or fail, they are at least certain of a fair and manly competition. The effects of this are not confined to the actual competitors. The openness of the field stirs and directs all the ambition of the country, and has exactly the same influence with that which is produced throughout the population by the rewards of other species of exertion being made accessible to all.

The power of being a representative for Scotland is confined to a very narrow class; so narrow, that it is no measure whatever of the public mind or state. And, even within this class, he who is thinking of Parliament, knows that there are only two pivots on which he can enter it. Instead of preparing himself, therefore, by powers, or connexions, or principles, worthy of ambition, his views are limited to those means by which—in the local or ministerial leading-string—he may gain the unsatisfactory favour of a handful of voters. Thus, the greater part of the talent of the country is turned away from Parliament. Usefulness or glory in the House of Commons forms no object with the youth of Scotland, and indeed is rarely ever thought of. And that portion of the talent of the country which is admitted into Parliament, is trammelled by its supporters. Having no connexion with the people, the member does not partake of their character. He goes to Parliament without constituents, and is treated according to the insignificance of his origin. Speaking the sentiments of no portion of the community, —depending for his seat on a nod,—and not prepared, by habit or education, to attain, while he is allowed to sit, that distinction which of itself will do him little good on his next canvass,—he is driven by his very helplessness to earn that protection from government, which can alone save him. If he fail in this, he is gone. If he obtain it, any sacrifice he may have made is immaterial, for he has no electors to fear. There is only one course by which he can be comfortable: avowing his sense of his situation, and doing all he can to reform it.

We know no other explanation than this of the established position which the members for Scotland seem to occupy. That at all times they have in general been respectable and worthy, and many of them able men, may be admitted; and the people of Scotland would be most ungrateful, if they were insensible of what they owe to some of them in recent times. Neverthe-

less, if a stranger, surveying the House of Commons, were to ask whether the English, the Irish, or the Scotch members stood highest in the opinion of that fairest of all assemblies, who believes that the answer would be honourable to the northern part of the kingdom? And if that stranger were to come into Scotland, and to ask what sphere of public life shone with the largest portion of the national talent—who would say it was Parliament? In all the other avocations of genius, industry, or knowledge, the country is full of competitors, many of them splendidly successful;—there is not one other department in public life, at the head of which the natives of Scotland are not to be found;—and they have increased the general stock of public intellect in a proportion far exceeding their numbers. Yet, where is the great member Scotland has ever sent to Parliament? Deduct those whose personal influence cannot be separated from their official, and the poverty of our contribution to the harvest of Parliamentary patriots is most lamentable. And it is the more humiliating, that many of the brightest names by which Parliament has been adorned, have been those of men born, educated, and chiefly interested, in Scotland. But such persons cannot occupy a Scotch seat. Take an example. Francis Horner was a Scotchman, born and bred,—without fortune, without family, and a Whig. He was admirably qualified to make a deep impression on Parliament; and accordingly, his grave was covered with the tears and admiration not only of his friends, but of his political adversaries. Through what avenue could this man have ever had a chance of reaching the House of Commons, if he had depended solely on his character and the electors of Scotland? The system which excludes such persons cannot be favourable to the production of the higher order of representatives. The reputation of the Scotch members, therefore, is the result of their constitutional position. It has sometimes been said, that even although there were popular elections in this country, nearly the same individuals would be returned. Even though it were so, these individuals would be different members. The simple circumstance of their depending on a larger portion of the intelligence of their country, would change their natures. A reformed system of election would breathe a better spirit into the representatives; and it is the only thing that will ever enable the country to redeem itself from the hereditary shame—of producing every thing that is great, except statesmen.

III. But the chief thing is the character of the people. By the word people, we mean that great central mass of property and knowledge which everywhere else is admitted to form the only good body of electors. We need say nothing of the injus-

tice of putting this class beyond the pale of the constitution; or of the utter hopelessness of expecting to find any safe substitute for them in the discharge of the elective duties. All this is rudimental. But too little importance is attached in Scotland to the value of political privileges, and particularly of this one, in improving the character of the people. It has been said, and adopted by no less a person than Paley, that provided right members be returned, it is immaterial who chooses them. There cannot be a greater error. Absolute monarchy might be justified on the same principle. The certainty that the monarch would always be right, would be no compensation for the loss among the people of the qualities which the management of their own affairs implies. It has been said in the same way, that if causes could be well decided without them, juries might as well be dispensed with; as if no part of the value of this institution arose from its rearing in the community the habits connected with the administration of justice. The misfortune of the people of Scotland does not consist merely in the humiliation and danger of their not being permitted to exercise an individual function, but in the circumstance that this interdiction plucks the good qualities connected with the exercise of that function from their breasts. What these qualities are, a Scotchman may well be excused for asking. They are watchfulness, courage, fairness;—an interest in public affairs and men;—a love of justice;—and the elevation which is imparted by the consciousness of being trusted, and of having rights, in the administration of the national business. The inhabitants of Scotland are treated by the law as unfit for the exercise, and therefore undeserving of the cultivation of these excellences; then they are said to be weak in the political virtues. The imputation generally applied, is most just; though there be exceptions, of which the honourableness is increased by their difficulty. The thing to be explained is, how there should be an independent party in the country. But the cause of whatever justice the charge contains ought never to be overlooked. Where would the public spirit of England be, if it were placed in the same situation? The great blessing of a free government consists in its generating the virtues of freedom, which, in their turn, become the only preservatives of that which creates them. But the people of Scotland are expected to have the manliness of liberty without its practice; and a taste for constitutional rights, which they only know by having them described as what they must not touch. The law has as yet assigned them no place or privilege, which connects them directly with the political part of the state. They form no political element,—have no legitimate power,—

no established vent for their opinions,—and are placed in unnatural opposition to the classes with which it would be most useful for them all that they were blended. There is no 'common general thought' to make them one.

Yet this state of things, in comparison of which our sending no members to Parliament at all would be far better, has been defended. There is only one view on which it can be defended honestly; which is, that the less the people have to do with public affairs the better, and that wherever a blot in the representation has become venerable, it ought to be prized and perpetuated. It is needless to make any answer to a sentiment which is not applicable peculiarly to Scotland, and which, if felt, cannot be rationally uttered. But it is proper to notice the ordinary apologies that are made for the prevailing system of this country.

1. We are met, as we have invariably been on occasion of every improvement that has taken place within the last hundred years, by the *Articles of Union.* If these unhappy articles had served all the purposes for which they have been employed, the institutions of Scotland would have stood exactly as they did in the year 1707. In the debate on the representation of Edinburgh, on the 13th of April, 1826, Mr Canning, who took the lead in opposing the bill which Mr Abercromby was attempting to introduce for its reform, disdained to take advantage of such an argument; and, after stating that the Scotch representation was *in itself indefensible,* added, that if it were expedient now to redress it, the Articles of Union ought to be '*scouted.*' And so they ought. They are never referred to except for the sake of mischief, and when reason fails.

2. It is said, that in spite of all theoretical defects, the thing *works well.* This is not true. It works abominably.

3. Our representation, we are told, is not to be viewed by itself, but must be taken along with the general representation of the country; which, upon the whole, is fair enough; and the Scotch, though not protected by their own members, are by others. The meaning of all this is, that they are represented *virtually.* So were the Americans before their war of emancipation, and their unreasonableness in requiring more, was demonstrated on all the principles on which the doctrine of this sort of representation rests. There is one evil that it never can remove, which is decisive. No virtual representation can ever elevate the character of the people. It tends directly to depress it, by showing that there must be representation, but that they cannot be trusted with it. But there is another consideration equally conclusive in reference to the peculiar case of Scot-

land. One place may possibly be represented by another *within the same country*, because the interests and feelings of all the people in that country may be held to be somewhat alike. But it is absurd to apply this principle to the inhabitants of two totally separate countries. Would it be any thing to an Irish Catholic to tell him that he was virtually represented by an English Episcopalian? Or is it any thing but a mockery to console an Orkney hose-knitter, by assuring him that his concerns are duly attended to by a distant creature called a Pot-walloper?

4. We are reminded of those scenes of *violence and vulgarity* by which, it is said, the peace of England is disturbed, and its popular elections degraded. Considering the multitudes of people who are keenly engaged, the general peaceableness of these contests is one of the most extraordinary circumstances that distinguish them. Still all violence is bad. But it in no degree forms a necessary part of a popular election. The simple remedy of taking the votes at several places at once would check it all; and many other remedies, of which nothing but the fatal horror of innovation prevents the adoption, have been suggested. At any rate, in Scotland, it is but a choice of evils; and it is difficult not to marvel at those who have no objections to pollute themselves by the secret contamination of an underhand election, yet affect to be squeamish about the vulgarity of exhibiting themselves before their countrymen in the face of day. The canvasser of a Scottish burgh is too delicate for those scenes which have been graced by all that is splendid or worthy in England; —which were not disdained by the stately dignity of Pitt, the classic taste of Fox, or the fastidious purity of Romilly.

5. Any admission of the people is an invasion of the *vested rights* of existing electors. This objection has the great merit of always getting stronger the more that the abuse gets grosser. It would never be so strong as in the case of a county, or a set of burghs, or even the whole country, being entirely in the hands of one man. But the truth is, that this is not a subject to which the principle of protecting vested rights applies. Whatever use the members of town-councils may make of their franchise, they hold it not only in substance, but in form, solely as a trust for the inhabitants of the burgh; and if it be convenient for the inhabitants to recall or limit their trust, it is preposterous to hear the parties object that they are entitled to keep it for their own purposes. The county freeholders hold the franchise, no doubt, as a part of their property; and they may make money by selling it if they please, as some people make money by selling their consciences. But the franchise, when restricted purely to the right of voting for a member, can be held to be worth nothing

except what is legally implied in that act. A distressed candidate is willing to give a freeholder L.1000 for a qualification which yields nothing but the power of voting. In one sense, this qualification is worth L.1000, because it fetches this sum; and a seat in Parliament may be said to be worth L.10,000, on the same principle. But the price is not truly paid for the subject which appears to be sold. It is paid for certain indirect results which it is criminal to buy or to sell. Even though it were proposed, therefore, to take away from the existing freeholders any thing in this matter that they legally have, and legally use, they would have nothing to say on the ground of vested interest. But nothing of the kind is necessary. They can certainly never pretend that the franchise, though continued with them, should never be extended to others, because this may diminish the value of their qualification. The members of every corporation might, on the same ground, object to the admission of every new member. Nothing can be so clearly held under the condition that it is subject to legislative arrangement, as the elective franchise. Yet the essence of this objection is,—the price of a set of franchises has been raised to an enormous height by an abuse, and is never to be lowered.

6. *The people are satisfied.* This, if it were true, would be the only satisfactory objection. Because, certainly, if the people be pleased with what they have, it is needless to give them more. But it is not true. Nobody can be acquainted with Scotland without knowing that the state of the representation is felt as the most shameful and mischievous of all grievances. It has been objected to ever since the time arrived at which the people could think of such a subject, and as loudly as they have been allowed to express any political opinion. It formed a subject of public, and almost of parliamentary discussion, in the year 1775; the discussion was renewed in 1787, and again in 1790; and there has not been a free public meeting or publication for the last twenty years, where the necessity of Reform has not been one of the prominent sentiments. The example of Edinburgh may be taken as a specimen of the whole country. In the year 1823, the householders of this city sent a petition to Parliament, complaining of their own individual case. The petition *was confined to householders* possessing real property within the town, of the value of L.5 a-year and upwards. Of these there were only 10,168 in the place; and, deducting minors, females, the sick, the absent, &c., the number was diminished to 7626. Yet the petition was signed by 6847, *being the whole householders of the place capable of acting, except* 779. That petition was rejected in the Commons by 99 against 75. It was renewed in

the year 1826, when it was subscribed by 7242 householders; being 395 above the number of signatures three years before. These, it will be observed, were the results of two appeals made to householders alone, and to classes of householders from which *above* 10,000 *of the poorer ones were rigidly excluded;* and without any effort to obtain a single signature beyond one public meeting, and a printed exposition of the facts. The whole of Scotland is probably in the same state. The people have hitherto been silent solely from despair.

If they are disposed to urge their case now, they should make up their minds cautiously as to what they ought to demand. In doing this, they may be assured that their strength lies in moderation and in reason; and that the slightest approach towards the adoption of the visionary projects which, in other parts of the country, have sometimes made the very word *reform* disgusting, will certainly be fatal to their claim. It does not seem to us that there is much difficulty in deciding on the remedy at which they should aim.

1. *In the counties,* every existing right ought to be left untouched. In giving the franchise to others, there is no necessity for taking it from those who already have it. The more who have it the better. And there is no sense in creating the obstacle which always arises when existing rights are proposed to be destroyed. Many people have a great dislike at what are called the paper votes; *i. e.* the votes that are manufactured by conveyances without any real property. But the truth is, that these are the best votes in the country. They are the only ones that are accessible to those who are not landed proprietors. They certainly throw great power into the hands of these proprietors; but this is one of the natural consequences of property; and they admit of being well distributed as easily as ill. Accordingly, these parchment Barons are, politically, the best Barons in Scotland.

Every thing that is being let alone, the first thing to be introduced is a proper qualification. What this ought to be, will require great deliberation and some enquiry. But it is a subject which our present object does not lead us to discuss. We cannot be worse than we are; and it would be a prodigious gain, though our new qualification should be set as high at its zero as the highest that exists in the empire. This, however, would give no permanent satisfaction, and therefore any change that is to be introduced should rest on some solid and rational principle. Usage, and a tinge of feudal prejudice, have made many reasoning persons incapable of fancying any basis for the franchise except land. But it seems very difficult to justify this on

common sense. Why should a person be allowed to assist in electing a member of Parliament because he has an estate worth a thousand pounds, and this permission be denied to one who has a million of pounds in money? The one man's wealth being in earth, the other's in gold, seems to be a very odd reason for the difference. Personal property is as valuable, and has as much interest in the state, as real. Perhaps the sense of the thing is, that wealth ought to be the basis, without taking any account of the form it appears in, and *that payment of taxes* ought to be the evidence of its existence. But these are matters foreign to the present purpose. We must not lose all the substance for the best theory. All that we have to urge now, is, that some qualification or other should be introduced *which shall have the effect of admitting the intelligence of the middle rank of society, and of the upper part of the lower rank.* Whether the probable possession of this intelligence is to be inferred, as heretofore, from land alone, or from any other species of wealth, or from contribution by taxes to the State, L.5 a-year would not be too low, and any thing beyond L.10 a-year would be too high.

The qualification being fixed, the only thing that remains is to let in the qualified persons. They would vote along with those who are already qualified, or may choose to become so under the existing system. The qualification arising from real property must be made to attach to the ownership of houses, without which, indeed, nothing effectual can be done. And therefore whenever there was a town not comprehended within the sixty-six Royal Burghs, it would form a part of the county;—a woful proposal, no doubt, for the country gentleman, but absolutely necessary for the welfare of the community. Things cannot last as they are; and the more gracefully they are changed the better.

2. For the *Royal Burghs* there are two ways of proceeding;—either to let the magistrates continue to elect by delegates, but to make the appointment of the magistracy depend on the people; or to leave the municipal structure of the towns as it is, but to throw the election of the member at once into the hands of the persons having the new qualification. Some will be disposed to prefer the first of these schemes, because it implies a reform in the constitution of the burghs, which is a subject on which the people have very deep feelings, justified by intolerable grievances. But the wiser resolution, with reference purely to the representation, is clearly to adopt the other course. In the *first* place, to connect the reform of the representation with the reform of the burghs, is to obstruct a very simple case by one which may easily be made extremely complicated; and, in the *second* place, even though the magistrates were to be properly

appointed, no system of representation can ever be good which withdraws the direct election of the member from the people, and vests it in any interposed body. Delegates in every shape are bad. The true course is, to fix on the qualification, and then to let the qualified persons meet the proposed representative face to face.

The qualification for towns would probably require to be somewhat different from that for counties. But it ought not to be higher; and if it did not include a certain description of tenants, it would exclude large classes of the wealthy and best educated persons. Edinburgh stands clear of all connexion with other burghs. But where four or five of them are united, it has sometimes been stated as a difficulty, that except by delegates, they could not be brought together to elect. There is no difficulty in this at all. All that is necessary is, that the qualified persons should vote at any of the burghs that they pleased, and the result would be determined by the sum total of votes, when collected and examined. The small places will, probably, insist that the election shall depend, not on the majority of individual votes all over each class of burghs, but on the majority of burghs; because this would throw as much power into the hands of the most insignificant place as into the hands of the most important. But yielding to this would exhibit the spectacle of a member who was chosen by three hundred people, composing three burghs of a hundred votes each, although he were rejected by ten thousand who happened to live in one place. Each class of burghs should be dealt with exactly as if they formed one town, which had the privilege of voting at a variety of spots. It is the average mind of the whole that ought to prevail.

The safety and the advantages of these reforms can be doubted by no sensible man, who either respects the constitution or experience. This is the system which does not merely work well in England, Ireland, and Wales, but which works so well that the government could not be maintained for a single year without it. The Scotch have never been tried with it; but if it be safe and beneficial anywhere else, it must be more safe with the people who are most cautious and educated, and more beneficial for those whose public character has hitherto been depressed by systematic exclusion from the exercise of political rights. It is scarcely twenty-five years since they were trusted with even the election of their own Commissioners of Police; and the first recognition for this purpose of numerous classes of voters, beginning at L.10 a-year, was only yielded with a grudge, and with many a demonstration that it would lead to nothing but disorder and riot. It was within a still shorter period that they

were allowed to act as jurymen in civil causes; and this also was only conceded with great alarm. Many other inferior points have been gradually obtained; all tending to liberate the people from that detestable system of distrust and insignificance in which they used to be kept. If we had wished for a triumphant answer to all these fears, we could scarcely have got a better one than what is afforded by appealing to the results of these experiments. They have not merely succeeded, but they have succeeded with a degree of facility and quietness, which is the best evidence of the advance of the public mind, and of its being fully prepared for the exercise of still higher rights.

There never was a time in which these rights could be asserted with better reason. Not merely because the people are powerful, but because their power is founded on knowledge and right feelings. The case of the Scotch representation is in itself so perfectly clear, that were it not for fear of the call for reform in England, we should have no doubt of its amendment being conceded. The outcry that will be raised by our own corporation of electors, though it may probably be the loudest, is to be utterly disregarded. The whole of our representatives voting against increasing the number of their constituents, would only be a proper commentary on the system that returns them. But though our only hope, on the whole, is from England, we are exposed to two risks from that quarter,—one arising from the enemies of English reform being anxious to resist a precedent,—the other from its friends being lukewarm about any improvement which does not apply exactly to themselves.

The friends of Scotland, however, must do their own duty. If it be true that the people are pleased, they have only to continue silent. If they be displeased, they must employ the ordinary means by which redress of grievances is obtained. The redress of this one is no party measure. It is the case, of course, of all those whose general principles incline them to the popular side. But still more is it the case of him who professes to be a lover of peace,—who must know that there will be no peace in these realms until the restless and wearisome projects of the visionary are put down, by some change which shall destroy the abuses from which they derive their dangerousness;—of him whose rule it is to strengthen the hands of government,—which he can never do by depriving government of the public co-operation;—and of him who calls himself the friend of the monarchy,—which he must be blind indeed if, in these times, he does not see cannot be more effectually undermined than by letting the people grow in number and in sense, but always with a just grudge at their condition. There are only three sorts of people

whose case it is not;—the fool, who holds the constitution itself to be a grievance; the demagogue, whose vocation ends with the removal of popular discontents; and the forlorn elector, who looks at his twelve children, and would like to have all that is going to himself. With these exceptions, this is the case of every man who wishes Scotland to be respectable, and public affairs to have the benefit of its people's reason.

We must warn our countrymen, however, not to stir this question at all, unless they be resolutely determined to persevere in their exertions for its accomplishment. Nothing is so injurious to a claim of this kind as a shortlived ebullition. It is the best evidence that those who urge it, think it groundless or unimportant. The excitement of a few public meetings, and a few petitions, is soon over, and soon forgotten. They are powerful engines; but they require management. Nothing is to be gained without concert;—without the press;—without moderation;—and above all, without perseverance. It is only by repeated movements, that deep impressions are produced on the public mind. It is not by a single blow, however judiciously aimed or successfully struck,—but by the constant repetition of the assault. Those who undertake a public cause, ought to remember, that in the case of the Catholics, it took above a hundred years to convince the most intelligent nation upon earth, that religious persecution could never benefit the persecutor; and that in the case of the slave-trade, thirty years were spent in discussion, before a senate of enlightened Christians could be induced to act on the conviction, that man-stealing, torture, and murder, could never be lawful or expedient. They ought, therefore, to reflect before they begin. They ought to summon up a spirit of determination worthy of the object; and to go on, if they move at all, under the conviction, that to let their cause rest is only apathy, but that to let it be lost from inertness is treason. If the people of Scotland be true to themselves, the result is certain. Whether the triumph be witnessed in our day or not, is a different and inferior question. By energy and union it certainly might. Far greater, and far more hopeless measures have, after it has been made plain that they were never to be abandoned, succeeded in a moment, and even when the expectations of their friends were lowest. The result does not depend on the enemies, but on the friends, of the measure. If the excluded be firm and wise, they have no enemies to fear.

ART. XI.—*The National Library.* Conducted by the Rev. G. R. GLEIG, M.A. Vol. I. *The Life of Lord Byron*, by JOHN GALT, Esq. 12mo. London: 1830.

THIS is one of the many works which have been lately published in imitation, or apparent imitation, of the plan adopted by the Society for the Diffusion of Useful Knowledge. Of these, Dr Lardner's *Cyclopædia* is by much the most valuable, and the most recommended by distinguished assistance, scientific and literary. Considered as bookselling speculations, they may all be allowed to be moderately priced; but in this most essential recommendation they are still greatly excelled by the *Libraries* of the Society.

This quality is really so material a requisite in such publications, that nothing can supply its place. The Society originally bent itself almost exclusively to the important task of bringing down the enormous price of books, which was by degrees confining the use of them more and more to those classes of the community who are in easy circumstances. Writings of an original cast, and of extraordinary genius, it was impossible, at least until most extensive circulation could be obtained, to publish at such very small cost as those of the Society are sold at. Sixpence only for as much matter as would fill a hundred pages of a common volume, with a number of excellent engravings, was plainly out of the question, if high prices were to be paid for original genius, or learning of the first order. It is of the essence of such books to be extremely cheap, but, or rather we should say, therefore, of a kind which many men may be able to write, as well as all to read. The immense circulation of twenty-five or thirty thousand, may now have enabled the Society to extend its remuneration greatly to authors. Its maps, too, are extensively circulated, and certainly of a very rare excellence, as well in the composition as in the execution. But it is manifest that such books as many of the volumes forming the Libraries, both of *Entertaining Knowledge*, and the *Family Library*, might be composed by a variety of literary men; and that, consequently, competition must be fatal to any one of this sort not sold at the lowest price possible. This applies in an especial manner to works published by individuals. Those of the Society must always have a material advantage, from being revised by many eminent men of science and letters, which gives a security against errors, and even against omissions, not attainable by the works of unaided individuals. Hence, the authority of the Society's Treatises will always be higher, and therefore competition will be

less hurtful to them. Yet, the fact is undeniable, that, notwithstanding this very material advantage, they are incomparably cheaper than any brought out by the common publishers. They are much cheaper than Mr Murray's—in other respects a very excellent and always entertaining, if not always instructive miscellany. They bear an equal preference, in point of price, over the new publication of Mr Colburn, of which the volume before us is the commencement.

These remarks are forced from us by the great importance of the subject. It is the very use of such works, to be of easy access to all purses, and consequently of unlimited circulation. They must comply with this requisite to be permanent favourites, or even to succeed long with the public; for other booksellers, and other writers, can so easily take up the same kind of works, that they will inevitably undersell them, until the lowest price be reached. Indeed, there is nothing at all characteristic in either Mr Murray's or Mr Colburn's *Library*. The works are connected together by no tie; they fall under no particular class or arrangement; they are merely a succession of so many books of a certain size and price;—that is all they have in common, and to distinguish them from other sets of separate books. Their titles are extremely little applicable as descriptions of their nature.

Another remark we must be allowed to add, because it is of essential importance. The Society intended its books for the benefit—the solid use—the substantial profit—of the community;—in a word, for their instruction and their improvement. To communicate knowledge, and knowledge of real value, was their primary design; to this entertainment was subsidiary—accordingly, the *Entertaining Library* conveys as much entertainment only as is consistent with the plan of instruction, by conveying useful knowledge too. The imitative works to which the Society's have furnished the example, excepting Dr Lardner's *Cyclopædia*, all depart widely in this great particular from their original. It is not very easy to perceive the great instruction to be derived by the people from reading the Lives of Napoleon or of Lord Byron, especially as no pains are taken to read useful moral lessons by the writers, in the progress of their narratives. The Society never omits a single occasion to give the practical improvement, the useful reflections, suggested by, or which can, by some stretch, be connected with, the more amusing parts of its treatises. All tends to instruction in its treatises; in those of the other *Libraries*, which adopt the name, but widely depart from the nature of the thing, amusement, in

fact sale, is the main object. To begin a *National Library* with Lord Byron's Life, argues a determination to consult only the taste and fashion of the times. These might, indeed, have been taken advantage of, for important purposes; and under the cloak of a popular biography, some useful matter, some wholesome truths, might well have been recorded, and widely disseminated. But a perusal of Mr Galt's work obliges us to say, that no such considerate and instructive course has been pursued by him.

As Mr Colburn is an active and very enterprising man, to whom literature is under considerable obligations; and as Mr Gleig is a very respectable writer, we are willing to hope that they will both believe us when we state our good wishes towards their project, and our hopes that the observations we are making may minister towards its success. It is really our purpose to further that object, by improving both the execution and the plan. We must therefore be allowed, on behalf of all the most approved principles of good taste, all the soundest canons of criticism, nay, the rules of the English language, and even of ordinary grammar, to enter our protest against the manner of writing which Mr Galt has thought fit to adopt. He is favourably known as a novelist of a certain class; but he is strangely mistaken if he thinks himself of such consideration in the republic of letters, as to entitle him to make himself a dictator over language, or rather sultan of the Dictionary. His composition is often a wild mixture of absurd and incongruous images—his language a preposterous medley of old words used in new senses, and new words coined without either the warrant of necessity, etymology, analogy, or harmony. His book is in other respects liable to censure; but it is not of sufficient importance to call for detailed criticism; and we should not have noticed it at all, except as forming the initial part of a publication calling itself *National.* This requires of us that we should guard the public taste from any chance of contamination that might arise from the circulation of such a production; and the more so, that it has been lauded by some as a rare specimen of biographical skill and masterly composition. These praises are not more ludicrous than its own pretensions. We leave it and its eulogists to the ridicule that must ever attach to the signal failure of overweening claims, and to literary encomiums bestowed on the palpable transgressors of literary rules.

ART. XII.—1. *Translations from the German; and Original Poems.* By Lord FRANCIS LEVESON GOWER. 8vo. London: 1824.

2. *Faust, a Drama,* by GOETHE; *with Translations from the German.* By Lord F. L. GOWER. 2d edit. 2 vols. 8vo. London: 1825.

3. *Wallenstein's Camp, from the German; and Original Poems.* 8vo. By Lord F. L. GOWER. London: 1830.

THE extremes of life, high and low, are more likely to comprise close resemblances in what form really the most important particulars of human character and conduct, than any other portion of the community. There is as much, and nearly the same, danger in being above opinion as below it—in receiving a sugar-and-water education, as in receiving none at all—in the humours which follow from being underworked, overfed, and from false indulgences, as in the feverish exhaustion that accompanies overwork, underfeeding, and neglect. One of the main evils to which these extremes are alike exposed, and from which, one way or another, they suffer almost equally, is the want of sure regular employment. The difficulty, which the great must frequently experience in finding themselves in occupation, may be conceived by the envy with which such a man even as Dr Johnson looked on persons who were brought up to a profession. Pride, Young says, was not made for man; leisure, we fear, quite as little. Notwithstanding Fox's favourite lines,

> 'How various his employments whom the world
> Calls idle, and who justly, in return,
> Esteems that busy world an idler too,'

our race is not sufficiently aerial to lead a gay uncankered life 'under the blossom that hangs on the bough.' The undertaking of our fine gentlemen to make a business of pleasure, answers much worse, they may depend upon it, than the opposite experiment of the industrious classes how far a pleasure may be made of business. The misery of conjugating that verb *ennuyer*, through any one of its hundred moods, and the apparent impossibility of providing the great vulgar, or the small, with respectable amusements, must dispose a reasonable person to look with much complacency on every attempt made by members of either class to extend their sphere of innocent enjoyment. Sufficient numbers for all the waste purposes of life, are sure to be left behind. There are enow whom education and civilization will never reach, and who, consequently, must remain in the

station in which it has pleased God to place them, either the mere figurante figures, or the beasts of burden for society,—the prey for its sharpers, or company for its fools. Were a taste for literature to be valued only at its chance of affording some protection against degrading or destructive pleasures, (the blandishments of the gaming table and the public house,) it could never, even whilst thus negatively appreciated, either mount too high, or descend too low. The cause of letters must gain something in the end. In the meantime, a solid advantage is gained to a still better cause; although our village minstrels should fail to give us any strain more powerful than that of Bloomfield and Clare, or although Byron's extinct volcano should find, in the present generation of noble poets, no more bright and burning representative than scrawls of phosphorus rubbed into a sort of glimmer on a dark wall.

It has been rumoured lately, on high bibliopolist authority, that the rage for poetry is over. If verses can no longer be made so as to yield a remunerating price, professional dealers in them will turn their intellectual capital into some other line of business, and amateurs, who can afford to print, although the gentle reader, and still more gentle purchaser, may not be forthcoming, will have Parnassus entirely to themselves. Notwithstanding any sneaking kindness we may feel for 'the mob of 'gentlemen who write with ease,' and who have married themselves to immortal verse for love, and not for money, it must be admitted, that merely starving out one's competitors is not the most flattering species of success, if success can be predicated in a case where, by the supposition, the artists have withdrawn, and the public are become indifferent. In the meantime, it is evident that no great stream of national taste can suddenly change its channel without occasioning terrible distress. Considering what extensive manufactories of rhyme had been now, for many years, successfully established throughout the realm, and how completely 'the inspiration and the poet's dream' were become subject to the ordinary laws of trade, it is melancholy to think on the necessary consequences of this supposed caprice of fashion. What a loss to unlucky publishers, whose floors are creaking under waste editions of condemned authors!—what a mournful prospect to veteran bards, at an advanced age, and without warning, to be thus suddenly thrown out of respectable employment!—what an embarrassment, as well as disappointment, to prudent fathers, and sanguine sisters, where the hopes of a whole family may have hung on the youthful genius whom they were bringing up a poet!—especially, since most other professions are already overflowing; not to mention that the spoiled

children of the Muses lie under a traditional suspicion of not being easily convertible to the drudgery of daily prose. However, the evil* is temporary only, and we must struggle through

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* Locke's spirit will rejoice in this news. He seems to have got his notion of a poet from Lord Rochester, and to have dreaded the thoughts of one in a republic or private house, as much as could be ever done by either Plato or Lord Burleigh. His admiration of Sir Richard Blackmore, compared with whom, he says 'all our English poets, except Milton, have been mere ballad makers,' does not entitle his opinion, on the point of poetry itself, to much respect. It might also have been hoped, that his suggestion in behalf of a philosophic poem on the natural history of the universe would have inclined him to more forbearance. Whilst we think that he underrates the proficiency that pains-taking, without any genius, may give, we quite agree that the crop thus got is not worth the expenses of cultivation. It is wine made of out-of-doors grapes in England. We are equally satisfied, that a boyhood passed over a *Gradus ad Parnassum*, and metrical canons, is the surest way to secure having no crop at all. 'If he has no genius to poetry, it is the most unreasonable thing in the world to torment a child, and waste his time about that which never can succeed; and if he have a poetic vein, it is to me the strangest thing in the world, that the father should desire or suffer it to be cherished or improved. Methinks the parents should labour to have it stifled and suppressed as much as may be; and I know not what reason a father can have to wish his son a poet, who does not desire to have him bid defiance to all other callings and business; which is not yet the worst of the case, for if he proves a successful rhymer, and gets once the reputation of a wit, I desire it may be considered what company and places he is like to spend his time in, nay, and estate too; for it is very seldom seen that any one discovers mines of gold or silver in Parnassus. It is a pleasant air, but a barren soil; and there are very few instances of those who have added to their patrimony by any thing they have reaped from thence. Poetry and gaming, which usually go together, are alike in this too, that they seldom bring any advantage, but to those who have nothing else to live on. Men of estates almost constantly go away losers; and it is well if they escape at a cheaper rate than their whole estates, or the greatest part of them. If, therefore, you would not have your son the fiddle to every jovial company, without whom the sparks could not relish their wine, nor know how to pass an afternoon idly; if you would not have him to waste his time and estate to divert others, and contemn the dirty acres left him by his ancestors, I do not think you will much care he should be a poet, or that his schoolmaster should enter him in versifying. But yet, if any one will think poetry a desirable quality in his son, and that the study of it would raise his fancy and parts, he must needs yet confess, that, to that end, reading the excellent Greek and Roman poets is of more use than making bad verses of his own, in a language that is not his own. And he, whose design it is to excel in English poetry, would not, I guess, think the way to it were to make his first essays in Latin verses.'—*Thoughts concerning Education.*

it as we can. We pity most the liberal booksellers who have speculated deeply in the three per cents of poetry, and are large holders of a stock which will never charm 'the leathern ears of 'stockbrokers or Jews.' For the poets thus discountenanced, posterity will perhaps have little reason to regret the strangling of our 'mute inglorious Miltons,' the ebb and flow of whose imagination is duly regulated according as their golden couplets are at a discount or a premium in the London market. Let a poet arouse us from our sleep again, as with the first stanza of Branksome Hall, and we shall not fear.

In case the above complaint of the falling off in the demand for poetry should be duly verified by appropriate returns to parliament, specifying the amount of the different sorts of verse become unsaleable, and distinguishing the cases of the supernumerary writers necessarily discharged, tender compassion for their poorer brethren may move some one of our noble versificators to propose in their behalf a mitigated form of compensation, such as putting them on a list of deputy or supplemental laureats; or employing them under a vote of credit upon a public work—as some great national poem. Should Lord Leveson Gower propose a grant of public money for this purpose, the most wasteful application hitherto recognised, of the favourite doctrine of compensation, will scarcely cover the supposed emergency. The nation has been as yet only required to indemnify the most vested interests when ruined by express enactment. Now, admirably calculated as have been the tactics of recent politics to destroy all romantic enthusiasm about public men, and lowering as the system must undeniably be found where all moral and intellectual pre-eminence, or even independence, seems an exclusion, it will never do, whilst Lord Leveson, himself a minister, is one of the most active of our poetical volunteers, to hold that government is officially responsible for any prosaic tendency in our age.

Whether the amateurs are not themselves called upon individually to do something handsome on such a crisis, is a different question; were it only to mark their sense of the liberality with which they have always been at once welcomed into the republic of letters. Most professions are guarded as strict monopolies, and are characterised by a feverish jealousy of honorary members. The lawyer, physician, and divine, have done their best to put down interlopers by positive prohibition. Brokers combine against a stranger, from the moment he enters into the auction room. The losses of a gentleman farmer are a favourite jest for his whole neighbourhood. This is not always mere selfishness; at least not pecuniary selfishness. Regular

practitioners dislike to have their mystery invaded, and their learning cheapened down to a holiday accomplishment,—a lounging pursuit, which may be taken up and laid aside at pleasure. In addition to these objections, wealth is viewed by many with an ignorant, and almost proscribing envy. There are cynics who appear to derive a sort of consolation from the supposition that its shallow and coarse advantages are utterly incompatible with any process under which great endowments, and great qualities, are formed. *Stultitiam patiuntur opes*, is a disqualification which the rich are not to be allowed to master. This feeling is only another form of the malicious satisfaction with which some religionists have brooded over the difficulty 'of going to heaven in 'a coach.'

Men of letters are fortunately distinguished by the fact, that the descent of patrician competitors, from time to time, into their arena, has called forth none of this sour exclusive spirit. Plebeian genius, though dependent now on its new patron, the public only, seems still to retain a grateful recollection of the days when the dedication of a work was more profitable than the copyright of the work itself. Pope's spiteful forgery of '*Verses by a Gentleman of Quality*' is almost the only exception; whilst even he pretended to believe that Granville's Myra would live as long as his own Belinda. Notwithstanding the lecture which Lord Wilton has lately read us ungrateful commoners, the real risk of his order is still all the other way. Our modern Pisos want a Horace, even in these critical times, to tell them that the evil of their situation is much more that of being made ridiculous by absurd flattery, than that of being calumniated by unjust severity. Roscommon has indeed laid down a savage canon to the contrary, on which, however, no age ever acted. He presumed too much on his 'unspotted boys,' and might have himself accompanied the greater part of his writings to the stake, were any authority to be found for the solemn notice which he serves upon the English peerage, that, 'dege-'nerate lines degrade the attainted race.'

> 'I pity, from my soul, unhappy men
> Compell'd by want to prostitute their pen;
> Who must, like lawyers, either starve or plead,
> And follow, right or wrong, where guineas lead:
> But you, Pompilian, wealthy, pamper'd heirs,
> Who to your country owe your swords and cares,
> Let no vain hope your easy mind seduce,
> For rich ill poets are without excuse.'

Now our nobility never have been subject to these unequal

terms, and set down to write, as it were, with a halter round their necks. Any such distinction might be reasonable enough, were bread the only want of man in his mortal state. Unfortunately, according to our original proposition, all are equally in want of amusement; and the amusing either others or ourselves, whom prosperity or accident have rendered unamusable, is harder work than breaking stones upon any road. Most persons, too, would gladly acquire some sort of distinction beyond that which wealth and title (in a country where wealth and title are become too common to answer the ends of vanity) can of themselves bestow. The public seem to have, time out of mind, agreed to take this good-natured view of the case. Whilst every thing else in England is burdened with an apprenticeship, more or less tedious, poetry and politics have been considered to be exceptions. They have been left as a sort of open common, where those whom their rank excluded from the drudgery of professions, and long preliminary labour, might turn loose their imagination, either to bask in the sun, or gallop about, like unbroken colts, without an object;—and this upon a general understanding, always liberally construed, that these 'Pom-'pilian heirs' should be all the while under as little necessity of rendering rhyme or reason in explanation of such their proceedings, as the humblest of their fellow-creatures.

In the event of higher aspirations than mere amusement, it must be admitted, that 'young ambition's ladder' will be found much easier climbing, than the steps that lead to the temple of the muses. The poet can have no such aids and appliances as the aristocratical nature of our habits and institutions presents to juvenile politicians of noble birth. They commence their political life under circumstances, not of simple equality, but of great favour. One of the most practical purposes which the House of Commons is understood to serve, is that of an academy where the younger scions of the Upper House are to learn the trade of statesmen. Though many disadvantages attend the fact of parliament being the fashion, yet the general system must be singularly abused, either to vanity, interest, or spleen, before the public observation is roused, or its forbearance exhausted, by any particular example. It is only when the crowd of idle supernumeraries seem positively to embarrass the working of the ship; or on some flagrant instance of family jobbing, in the abuse of this peculiar patronage, which no custom can make any thing but a public trust; or upon a personal provocation, when genius is stung to speak its mind concerning some silken son of fortune, who is in the course of being 'swathed, 'and rocked, and dandled into a legislator,' that the general de-

mand for reform singles out for indignation any individual case of this description. In the humbler days of the House of Commons, ere yet 'its infant fortune came of age,' it is thought to have been under great obligations to its incidental alliance with the aristocracy for its respectability and support. This is an obligation which it has long since repaid, and with usurious interest too. In respect of poetry, (their other privileged amusement,) it is also very clear, from the history of letters, that poets have done as much for the great, as the great have ever done for poets. Among the troubadours, and in our own early literature, (ushered in as it was by Wyatt, Surrey, and Sidney,) there were splendid exceptions. But, as a general rule, the least acceptable and efficient form which the gratitude or munificence of the great ever assumed towards either poets or poetry itself, was the method, to which they have occasionally had recourse, of paying them in kind. The notion, once circulated in France, that poetry was indebted, among us, for its successful cultivation, to the patronage of the nobility and gentry, and more especially to their condescension in practising the same, is a pretension quite in character with the court of Louis XIV. 'Il n'est point surprenant que la poësie soit portée si loin chez 'cette nation. Les prémiers seigneurs ne dédaignent point de la 'cultiver. My Lord Roscommon, le Duc de Buckingham, my 'Lord Dorset, et plusieurs autres personnes, nées dans le rang 'le plus élevé, ont fait des ouvrages, qui égalent les beaux mor-'ceaux des grands poëtes.' (*Lettres Juives.*)

The period chosen as the flourishing era illustrated by such incomparable models, is decisive of the precise nature of the obligation with which our literature has, in this respect, in point of fact, been burdened. It is natural enough that a Frenchman should take it for granted, that the age of our national improvement must be contemporary with the introduction of French influence into the cabinets of our authors. How Pope was betrayed to give countenance to any such absurdity, by paraphrasing Horace's prettiness of *Græcia capta ferum victorem cepit*, with the direct statement, that an analogous effect was produced upon English literature by French models, is perfectly incomprehensible.

> 'We conquer'd France, but felt our captive's charms;
> Her arts victorious triumph'd o'er our arms.'

In a note, he further explains his meaning, by informing the reader, that about this time the Earl of Dorset, Mr Godolphin, and others, together with Mr Waller, translated the Pompey of Corneille, and 'the more correct French poets began to be in

'reputation.' If there is one fact more certain in our literary history than another, it is the fact, that the courtiers of Charles the Second set an example as injurious to the genius as to the morals of the English people. The French character, and colour which they gave to their compositions, never thoroughly amalgamated with the more free principle and natural movement of our great vernacular writers under Elizabeth, James, and Charles the First. It is difficult, on any other supposition, to account for the subsequent decay of poetical invention, and the dreary waste that Dodsley's Collections, and our Miscellanies, spread over so long a period, of which they are almost the standard works. Authors, apparently aware that they were not, as Spenser says, of child 'with glorious great intent,' refused to foster and present these bantlings as their own. Ashamed of a foreign and mongrel filiation, they stocked with them these repositories of careless literature,—the foundling hospitals of an age when albums and annuals were yet unknown. The notion that our literature, for upwards of a century, was sterilized by these uncongenial ingredients, which we wanted the power to assimilate or displace, seems confirmed by the new burst that our national poetry has made, and the vigorous leading shoots it has thrown forth, in our own time. The resurrection of English poetry coincides, to a day, with the overthrow of the conventional system—that worship of strange gods, idols of wood and stone, which had been imported among us from the heathen, by Lord Dorset and his fashionable companions. Precisely to the extent that we have replaced the models of home-growth, and of older date, in the sanctuary, and have made them once more oracles of our belief, have we also found in them the inspiration of our genius.

We hope that the time is not far distant when somebody will try to give us a play of the old English school. Translations from the kindred school of Germany ought to act as introductions, as lessons, as appeals. Of all the hopeless attempts that ever entered into the wit of man, the most hopeless surely has been the attempt, in whatever hands, to naturalize the French drama on English soil. The enthusiasm of Napoleon for Corneille would have satisfied Madame de Sevigné, since he declared he would have made him his prime minister. Madame de Stael, though looked on as a heretic by orthodox French critics, speaks of Racine as the greatest of all possible poets. Voltaire's tragedies, as more dramatic, and full of bolder movement, have their peculiar admirers. The right of every people to establish at home whatever form of poetry it may deem best adapted to its taste and circumstances, belongs to it, as a sovereign and inde-

pendent state. It is a question so purely national, that the lectures which foreign critics frequently indulge in on such a subject, are usually only instances of unreasonable and impertinent interference, where, fortunately, however, ink alone can be spilt, not blood. As foreigners, we consider ourselves perfectly incompetent to guess which way the capabilities of the French language, and the turn of their national talent, will settle among themselves the literary insurrection which has been some time in progress against their ancient classical *régime.* But the evidence of nearly a century and a half, a considerable portion of which we were under the harrow of the experiment, ought to be received as proof that the beauties of the French theatre will not transplant into our own. Read Voltaire's praise of Cato, and his astonishment that a nation, in possession of such a treasure, could still tolerate Shakspeare. Yet, what is Cato? Or, what any one of the numerous dramas written in that sense, down to Sardanapalus? Or, take a favourite French tragedy, the one which has pleased us most in the closet, or with which we have been most affected in representation, and let us imagine it transformed into English, in the most workmanlike way that can be conceived,—such as Gray might have done, judging by his fragment,—yet how utterly distinct will be the most favourable impression it can in this shape produce upon us, from that of any tolerable specimen of the regular (or, if they choose it, irregular) English drama! There is no dispute over Europe of the merit of the smaller pieces of French extraction. They keep our half-price friends alive. The impassable differences of national taste recommence, we suspect, with the highest range of French comedy. The *Misanthrope,* for example, would seem, to an English audience, too much like so many pages of the *Caractères* of Bruyere, set in verse. Instead of that sort of pleasure we expect in a comedy, it affects us rather as a clever didactic poem, represented by the principal personages in one of Boileau's satires. However, the question, which we insist that experience has decided, by overruling the authority of the gentlemen-reformers of our unpolished Saxon faith, and by affirming the impracticability of establishing any thing like a union between the theatres of Paris and London, is confined to tragedy only. Lord Leveson Gower has so far earned well of the republic, in that he has deserted the precedent of the translators of Pompey, and directed his attention to the German stage. It is pleasant to see the name of Gower* on the title-page of a volume of modern

* In case it should be Chaucer's epithet, 'the moral Gower,' which has

verses; though the name, indeed, is all that any Englishman, out of the Society of Antiquaries, pretends to know of a writer, at the mention of whom we all rise up with reverence, as to one of the traditional fathers of our poetry. It is only justice to

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frightened all but professed antiquarians, even from so tempting a title as the '*Confessio Amantis*,' the following translation of a French ballad, written by him in his youth, will present him in a less formidable light:—

'To what shall I liken the month of May?
I'll call it Paradise—for there
The thrush never sang a diviner lay
'Mid fields more green, or buds more fair.
Nature is queen now everywhere;
And Venus calls lovers, away! away!
And none, when Love calls them, can now answer, nay.

'Yet I must pluck nettles from 'neath the rose spray,
A chaplet meet for me to wear;
Since she, who alone can pour in the bright day
On my heart, pours in despair:
That heart these disdainings no longer will bear,
Whilst so humbly beseech'd, not a word will she say,
Though none, when Love calls them, can now answer, nay.

'Go, Ballad! plead my tender suit with care,
Fall at her feet, and gentle entrance pray;
Full well thou'st learn'd, and well thou canst declare,
None, when Love calls them, now should answer, nay.'

The original is extracted, by Mr Ellis, from about fifty MS. French ballads, attributed to him, which are now in the possession of the Marquis of Stafford. As Lord Leveson Gower takes so kindly to translation, it would be only a proper compliment to the possibility of their poetical relationship (only a few degrees less honourable than that of Spenser or Cowper) if he were to translate for us the remainder. Mr Ellis observes, that these juvenile productions are more poetical, and more elegant, than any of his subsequent compositions in his native language, and exhibit 'extraordinary proficiency in a foreigner.' If Mr Ellis could advance nothing stronger in behalf of the English language at that period, than that 'it was certainly not quite unknown at court,' it is not improbable that Gower may have felt himself equally at home in the use of what was scarcely a foreign tongue, until, from political motives, it became discountenanced by Edward the Third and his successors. Most likely, Gower learned both languages together; spoke one as often as the other; and wrote French much more frequently, like all children born or brought up in a country where the higher ranks adopt an idiom either of conquest or of fashion, and the lower remain obstinately faithful to their ancient

Lord Leveson, to presume that he feels no criticism can be so affronting as that of vague unmerited compliment. Young ladies have learned to resent it as one of the worst pieces of impertinence. We will not pretend, therefore, to believe that he will preserve even the tradition of the name of a second Gower on the roll of English poets, unless he ceases to mix up poetry and politics together, and will devote himself more exclusively to the cultivation of the art. Apollo is a jealous god, and will not accept 'the devil's leavings!'

The strength of our age is comparatively wasted, and the talents of many of those most justly eminent among us are frittered away, by coquetting with a hundred objects, instead of a wise preference and deliberate pursuit of one. The important truth that the liberal arts are related, and reflect light upon each other, is abused into a neglect of the still more necessary truth, that a division of labour and concentration of thought can alone enable the degree of intelligence possessed by man to produce any thing really and permanently great. As every body is now required to know every body, and, consequently, acquaintanceship is displacing friendship out of the world, so, the ambition of being supposed to be acquainted with every thing, can only end, under the most favourable circumstances, in the knowing a little of every thing, and a great deal of nothing; whilst, in ordinary cases, it must degenerate into a washy, bold, and ephemeral facility. The gratification of personal vanity in this apparent versatility of talent, is paid for dearly by the public in the superficial performance of almost every thing which every body so intrepidly undertakes. Probably no contingency which could have arrived to Lord Leveson Gower subsequent to the day of his nativity, would have made him either a great statesman or a great poet. But it is almost a certainty that if he had not dabbled so continuously in rhyme, he would not have earned the reputation of being the worst Irish secretary in the memory of man, and pretty nearly the worst official speaker, even in a ministry of which Mr Goulburn and Mr Herries are members. On the other hand, if he had abstained from the interruption that the necessary routine of office must create, even

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tongue. Accordingly, of Gower's three principal works, one is in French, and another in Latin; and it was not till he was turned of fifty, that, commanded by Richard the Second to 'book some new thing,' he, for the first time, attempted the experiment, whether, in any other hands but those of Chaucer, the English language could be made sufficiently tractable and harmonious for verse.

in the imagination of the most business-like of poets, it is almost impossible that a more abundant leisure and a severer self-criticism would not have either improved many of his verses, or at least withheld him from appealing to the public for its opinion on their merit.

The fact of Lord Leveson Gower's possible existence as a poet, seems to demand a few preliminary observations. The question is of some importance, as it concerns no less a matter than existence, and involves indeed many others besides himself. The Romans, who got their taste and their rules in literature second-hand, have passed on almost as proverbs the declaration that there can be no such thing as middling poetry; with the additional axiom, that a poet must be born one, *nascitur, non fit.* Looking at a good deal of that which the ancients have preserved for us under the name of poetry, and which (independently of their specific approbation) may be assumed to be better than what was allowed to perish, it is impossible not to admit that the practice of antiquity fell considerably short of the absolute standard thus magnificently announced. Unless the moderns are understood, in many of their poetical verdicts, to have taken the question of law as well as of fact into their hands, it is equally clear that we have eat out the heart and substance of the rule altogether, by some most sophistical construction. But, in truth, this celebrated dictum rests on nothing more profound than the gratuitous assertion of its inventors and retailers. No reason can be assigned why the theory in this instance, as in others, should not be made to correspond with what appears to be the fact as regards the subject matter, and why the same degrees and distinctions should not be acknowledged to exist in poetry as avowedly exist in prose. It is not more true in the case of poetical talent than in that of other kinds of intellectual superiority, that occasionally it is so peculiar and determined as to discover its appropriate destination along with the earliest developement of its power. This is what is meant by having a genius for any particular art or science. Among human enthusiasts, poets must not flatter themselves that they only have a call. Horace represents it as being in his time a debated question, whether poets owed more to nature than to art. It might have been assumed, one should think, that there can be no comparison between the poet of God's making and of man's. It is this supposed pre-eminence which really constitutes the only evidence we can possess of his divine mission. Yet it will not follow that, from the highest conceivable excellence, there may not be a descending scale of imagination, passion, taste, down to the lowest point at which the last possible element of the poetical character shall have disappeared. Through-

out every intermediate gradation, these endowments may be, in some faint degree, supplied by an assiduous contemplation of the works of genius, and by an endeavour to make up by means of learning, elegance, and correctness, the comparative parsimony of nature. These two characters were perhaps never so strongly marked, so exclusively preserved, and so high an extreme of excellence attained respectively under each, as in those illustrious contemporaries, Shakspeare and Ben Jonson. If Shakspeare was solely the unparalleled gift of this prodigal nature, Ben Jonson was almost as solely the laborious work of indefatigable art. It is evident that he collected in his own way for his plays as Sir Hans Sloane did for his museum, and then fitted in his specimens like a worker in Mosaic.

We shall never dispute the incomparable superiority of the first of these great divisions. In its highest perfection it will also frequently find an apprenticeship under the second as much of an encumbrance as an aid. Even Milton's learning is a train that often nearly throws him down. Holding Democritus's opinion, that a real poet must be a little mad, we suspect that what is called a regular classical education, after the fashion of Porson and of Blomfield, would be the greatest injury as well as torment which could befall him; and that the superintendence of a true Aristotelian critic (Bentley, for instance, as his literary keeper) must be enough to drive him mad outright. Not but that it is necessary to keep some method in this madness, and give it a right direction. Unluckily, a London saloon is not the most favourable scene for the encouragement and cultivation of that sort of aberration from the commonplaces of life and understanding, which constitutes originality of character and independent thought. A great poet is an accident which the world has so seldom seen in any period of civilisation, and in any rank of life, that he must be taken as the rarest combination of the human faculties. Were he born in the higher classes, the risk would be considerably increased of his being spoiled some way or other in his bringing up. The world, it is possible, might be able to unmake that which it could have never made. Consequently, on an arrangement of successful poets into two divisions —that of natural genius, and that of accomplished taste—we should expect to find among the aristocracy fewer of the first, and more of the second, than their bare numerical proportion. When we come to this second description of poetry, to be sure a very little natural talent will go a long way. It need only be taken up betimes as a gentlemanly amusement, and persevered in with ordinary parts and pains. In that event, we can almost undertake to promise any young nobleman, so disposed, that he shall ac-

quire a sufficient degree of manual dexterity to make versifying as agreeable as billiards on a rainy morning. Nay more, that he shall be enabled to keep up externally such a specious poetical appearance as cannot fail to obtain him credit for the reality, to any extent, with that portion of the public whom we are surprised to see Lord Leveson hitch into irreverent rhyme—'female 'cousins and maiden aunts.'

Lord Leveson began betimes, and has persevered. Here are three volumes—of which the first contains, together with a few translated from the German, some poems that were written for, but did not obtain, the prize at Oxford. Considering that successful prize poems are the most tiresome reading in our literature, the publication of unsuccessful ones is a gratuitous humiliation, which few confessors would have the barbarity to impose upon a penitent, in expiation for the errors of his youth. It must be supposed, therefore, that our author's judgment on the scale of university taste in such matters, is all one with that of the saucy academician, who justified the badness of a poem, composed for one of these occasions, on the express ground of having adapted his performance to the level of his tribunal. The second volume consists principally of a translation of Goethe's Faust; the last, of Wallenstein's Camp. Among the original poems, that on a fête given at Boyle Farm, is a favourable specimen of *vers de société.* All the other experiments at original composition unfortunately are on subjects where the expression of sentiment and of poetical imagery of a higher character is required. The choice of the measure, and the imitation of Lord Byron's manner, in the 'Moravian Tale' and the 'Drachenfels,' are additionally injudicious by the comparison thus immediately provoked. There is a copy of verses on a soldier's funeral, which, being printed twice over, is apparently a favourite with its author. A funeral is not more the proper place for a clever saying than for a droll one; at least, if our feelings are expected to be kept in harmony with the affecting solemnity of the scene. Considerable wit, it may be admitted, is implied in the discovery of the remote resemblance which is found to exist in things at first sight so distinct as a war-horse in its funereal trappings, and an orphan proud of its new mourning. But Donne, or Cowley, or Blackmore, could scarcely have mistaken the surprise of such a comparison for a stroke of the pathetic.

'Upon the coffin's sable lid they placed
His gleaming helmet and his battle blade,
And slow behind his raven charger paced,
Reft of the hand whose rule he once obey'd.

'His mien was like an orphan child's, whose mind
Is yet too young a parent's loss to know,
Yet, conscious of a change, appears to find
A strange importance in his weeds of woe.'

Spenser, though not Irish secretary, has left us a valuable Report on the state of Ireland. Instead of any dry official legacy of that description, Lord Leveson has taken leave of Ireland with the poetical compliment of 'Lines on a Visit to Castle Connell 'Rapids, near Limerick, September 1829.' They are written upon the conceit of an analogy not quite so novel in its principle as that just noticed, but which makes up what it may want in novelty, by the minuteness of the detail into which the parallel is run. This lengthened simile consists of the resemblance which the stream of the Shannon in this part of its course, with 'a bark careering past,' bears to the stream of human life, with our friends upon it. There is some comfort in the assurance given us, that if we borrow an hour for the purposes this meditation may demand, the loan is one which we shall not have to repay with sorrow. Meanwhile, it would have been more satisfactory if the loan had been repaid us in coin more substantial and intelligible than the concluding stanza.

'Some barks may steal the bank along,
And the mid stream decline;
But life has lent its current strong
And roughest aid to mine.
The castled steep, the terraced vine,
The scenes where art and nature vie
The weary wanderer to arrest,
To bid him linger and be blest—
From these, scarce seen, condemn'd to part,
With wistful eye and aching heart,
I still must wander by;
And, sport of fortune's wildest wave,
Pursue the stream I cannot brave.'

What can all this gentlemanlike melancholy mean? Are we right in conjecturing that the Irish secretary wanted to make a tour of pleasure, but was required by 'the rough aid' of the Duke of Wellington to make a tour of business instead?—that he consequently was condemned to wander by the 'terraced 'vines' of many an Irish cellar, without stopping to partake their proverbial hospitality?—and that, lastly, nothing but the 'sport of fortune's wildest wave' could have made him secretary for Ireland? The allegorical figure of pursuing a stream which one cannot brave, may be perhaps intended as a type of the conduct (system or policy it has none) of the Irish administration.

This conduct has indeed been latterly described to us as a mere waiting on the stream of public opinion in Ireland, without once attempting to stem or to control it by a moral influence, to the possession or exercise of which it would in truth have been ludicrous to pretend. 'The Rapids,' we fear, in this respect, may represent in some degree, however faintly, the present prospects of society in Ireland. The eddies (however they may have been raised by *agitation*, yet) lie too deep in natural causes of almost every description, to have subsided. They are, on the contrary, hurrying on with a velocity and power that does indeed require a resolute government to brave, and an intelligent one to guide, the torrent. But this is a state of things far too serious for metaphors. Concessions so long withheld—agitation so long continued, had necessarily turned Ireland (men, women, and children) into a population of politicians. Emancipation staved off, and could only stave off, its own immediate crisis. The other causes of disquietude and discontent, which must always swarm in such a country, will soon assume a fearful magnitude, unless they are wisely, humanely, and vigorously examined, relieved, and resisted, according as in every case the public interest may demand. There can be no greater sign than the election of Mr. Wyse for Tipperary, of the real moral revolution which has taken place there; or of the comprehensive sagacity and personal vigilance which the government of Ireland requires.

Pope tells us, that, partly in satire and partly in good-nature, he was accustomed to advise those contemporary poets whose natural genius he mistrusted, to translate. Is translation, then, so easy a matter? Did he himself find it so? It is undoubtedly an advantage to a translator that he has the ideas found for him to his hand, ready made. However, in the highest works of every kind of art, the mere thought is only the first step. It is one that is indispensable indeed; but not more so than a great deal else. The restraint of being obliged to reproduce this identical thought, in as nearly as possible the same shape as the author had first produced it, comes often to more than its prime cost, and more than it is at all in reason worth. It may be worth while shortly to enquire what are the principal considerations which embarrass this problem. In any given case, the greater the approximation that can be obtained towards similarity of mind or fellow-feeling between an author and his translator, assuredly so much the better chance for this identity being preserved. We wish, therefore, that Dryden had undertaken Homer, and Pope, Virgil. Heber gave up the translation of *The Messiah*, 'from a real doubt how far we may venture to 'attribute to so awful a Being, at such a moment, words and

'actions of our own invention.' Otherwise, there is so strong a personal resemblance between Heber and Klopstock, not only in devotional spirit and blameless purity of mind, but in the sweet and flowing character of their genius, that it will be long before we may hope for another translator so appropriately designated for the task. This similarity can, indeed, be had but seldom. Men of original genius choose to ride their own horse, and to set up on their own account. At first sight, the necessities of translation would seem *absolutely* to require little more than a susceptibility to the differences of style and character in composition, together with a power of successful imitation. Yet, will experience warrant this conclusion? The profusion of parodies with which literature has been infested, and the compass of mimicry of this description displayed in works of the nature of the *Rejected Addresses*, prove that, up to a certain point, these qualifications are by no means either very valuable or very rare. The paucity of tolerable translations, on the other hand, can only be accounted for by supposing that some far scarcer talent is wanted, or that there is often some inherent impracticability in the task, of a kind for which sufficient allowances have not been always made. Of course, the more natural and more varied the style of any author may chance to be, in the first case, the less mechanical peculiarity will there be to catch; and in the second, the more improbable will it be that the imitative skill of the copyist should enable him equally to catch all. In parodies, the buffoon is helped by our ill nature—he selects the passages whose mannerism most assorts with his monkey talent, and he has an almost indefinite license of caricature. Instead of any latitude of this sort, the translator is bound, throughout a work of whatever length, to severe expectations and exacting terms. The likeness, as looked for at first, is almost that of a reflection in a mirror. The difference in these conditions, is difference enough. But the great and decisive distinction lies in the fact, that imitation altogether evades the chief obstacle which translation has to overcome. This obstacle consists in the change from one language to another.

Because words seem but the clothes in which thoughts are dressed, it does not follow that thoughts may be put into a new language, and that it is only like a man putting on a new coat. A national costume is indeed no trifle: but this comes to much more than disarming, as it were, the idea and the substitution of vulgar broadcloth for the tartan plaid. The secret power of a language is frequently as undefinable as it is intransmittible. We are speaking now of the general effect produced by a whole language—as the creation and representative of national charac-

ter; not of that exquisite grace of expression, which, in the case of certain writers, has always been felt and admitted to be as personal and as impossible to be copied as the charm of individual manners. The language of a nation becomes its atmosphere—its own breath is in it. Ariosto in English verse (Mr Rose will excuse us) must always be out of place, and have something wanting. If Lord Bristol had managed to get every stone of the Temple of Vesta safe to Ickworth, the best part of it would still have been left behind, in that which is irremovable and incommunicable—the beautiful accompaniments of its ancient glory and Italian sky. So far, therefore, as any language is impressed more or less strongly with a characteristic individuality, the immediate sacrifice made, in this respect, is of a nature which no possible ability in a translator can supply. There is an evaporation that cannot be prevented. The spirit is gone out of it on the stranger's touch. This must be positively and universally true, whatever is the other language. Such is the sacrifice which consequently is found to be, to a certain extent, unavoidable in all cases. In any given case, it must further vary with the degree of relationship (whether in descent, principle, colouring, or other often inexplicable association) which may subsist between the language from, and the language into, which the translation is to pass. According as the genius of two tongues approaches or recedes from each other, this specific difficulty will, on all ordinary occasions, diminish or increase. A comparison, thus instituted, will therefore determine the loss which will be likely to attend the transfer, or selling, as it were, out of one, and buying into the other. Lastly, in proportion as the peculiar excellencies of an author depend more exclusively on idiomatic felicity and niceties of expression, the difficulty of the undertaking rises towards an impossibility.

We will illustrate these several cases shortly. Under the first, can we be mistaken in mentioning the name of Homer? or is the change really in ourselves? can it be possible that another dialect might do as well as that of early Greece, were we ourselves only but made young again,—what we were when borne along the proud hexameters of 'the blind old man of Scio's 'rocky isle,' as on the waves of his Ægean sea? It surely is not all the mere redolence of youth: nor can we err in mainly attributing the untranslatableness of Homer to the unrivalled and unapproachable nationality by which the Homeric Greek appears to be so wonderfully distinguished. Like the Song of Sion, it refuses to be sung in a strange land. In this experiment, Pope and Cowper have tried the two extremes of opposite systems. Scholars will agree only in the result, namely, that the real and

genuine Iliad is equally lost in both. The character of its scenery seems entirely changed; stripped bare in one—gilded over in the other. However admirably particular passages may be rendered, there is an alteration introduced, fatal to the impression of the whole. A botanist's herbal may preserve small specimens; but no exotic, truly and grandly such, can be naturalized in its native magnificence. The palm-tree in our climate, whether it were potted artificially in a hothouse, or whether it could struggle into a stunted existence out of doors, would not be the palm-tree of the East. Thus, the romantic poets (poets of the same class) have a rural and matin air about them belonging to the day-spring of society, which can be neither prolonged nor restored. Until we can call back the freshness of the morning breeze, the same objects looked at with the rising sun gleaming on them, or under the general glare of noon, will no longer be the same. Dryden's Imitations of Chaucer,—Pope's Imitations of Donne, are in fact translations from an early into a later language. In satire, the effect is not so perceivable. But in the first of these instances, an impediment may be supposed to be insurmountable, which Dryden has only surmounted by the substitution of matchless beauties of his own! He wins his cause, like Phryne pleading before the Areopagus.*

The comparative history of languages, and a cursory enquiry into the list of approved translations which have been made from each to each, furnish abundant proof that this lite-

* The principle which renders the language of different countries or periods, when distinctly marked, an inadequate instrument for conveying a correct idea of each other by translation, very much agrees with the spirit of the elegant discourse by Jacobs on the dialects of Greece. After observing on the singular perfection to which so many distinct dialects were brought, he enquires how it came to pass, that a particular dialect was, in such distant places, and for such a length of time, exclusively set apart for particular compositions. Reasons are assigned, why the nature of man is supposed to have unfolded itself in Greece more naturally, gradually, and perfectly, through the successive stages of childhood, youth, and manhood, than is evidenced in the literature of any other country. And accordingly, whilst the Æolic and Doric dialects represent the lyric feelings of a later growth, and the Attic dialect the manly combinations of a still more advanced age, the flexible and imaginative Ionic, varying with, and sensible to, the vivid impressions of external nature, became the natural organ of the poetical Heroic Age. As the Rhapsodies of Homer are the great example of Epic Poetry, so Herodotus, although of Dorian descent, is conceived to have adopted Ionic Prose as the most fitting record for that most Epic History of *naïve* and picturesque society.

nary exchange is carried on much more extensively, and on a much more advantageous footing, between some countries than others. A mere examination of their dictionaries will not explain this; any more than the weighing or pronouncing the names of Cæsar and of Cassius will testify on the merits or the fortunes of those who bore them. No doubt, a philosophical explanation of all these distinctions might be rendered, in case we had but the appropriate facts in elucidation of the origin and formation of the respective languages sufficiently in detail before us. But, without waiting for so unlikely a revelation, the waste of a great deal of valuable labour might have been spared, if this truth had been practically attended to. The fact that the poetry of one language has been well translated into some other, is, without more, no authority for the inference that it will submit to this process in our own. The difference between the capabilities of languages in copying from each other the same subject with accuracy and effect, may be greater than the comparative powers of representation, between a picture and the engraving from it, or even than between the same representation in colours and in marble.

It must, however, farther be observed, that the character of no language is so fixed and stereotyped, but that the degree of its individualization depends a good deal in every instance on the character of the person using it. The most vernacular dialect possible may be generalized, under an artificial style, till it is made any and every language, or rather none at all, and shall want no further translation than the construing of the words. The same consequence may follow from a higher cause, and in more sturdy hands. The language, that is, the material used, becomes a matter comparatively indifferent in the case of a writer who relies almost entirely for his effect upon energy of thought, or a sort of strong sense plainly and vehemently expressed. Thus we have three or four excellent translations of Juvenal; and every nation of Europe might have, whenever it thinks fit, as many as it chooses. On the other hand, a great master of his native tongue will so far make it his own, as to find in it, or give it, peculiar properties of power or sweetness which it was never suspected to possess. There are in the literature of the world no more striking instances of this mastery over language, than the tractable ease and softness into which Terence and Horace brought so unmalleable a speech as that of Rome—whose iron substance might have been constructed by the Appian family, as well as their own everlasting way. Terence breathed into it a new colloquial elegance, and Horace a winning grace almost inconceivable—that *vultus nimium lubricus*

aspici of bright expression, which makes the fascination of his Odes. An attempt at translating them—at leading them, as it were, in chains to grace an English triumph, can be made only in the glorious ignorance with which the conqueror of Corinth threatened the supercargo, who had charge of the plundered miracles of art for the Roman Louvre, that whatever was damaged must be replaced. Dryden's Paraphrases are the nearest and only approximations. The things themselves will not bear removal. Like delicate wines, whose flavour perishes if carried beyond their native vineyard, you must drink them on the spot. Of all writers, it would appear, therefore, that none are more entitled than successful translators to the credit of *la difficulté surmontée*. However, not looking upon this as so absolute a criterion of the merit of poetry as is the habit of our neighbours on the other side of the Channel, we have been accustomed to consider the translations of long poems as rather thankless undertakings. In nine cases out of ten they give a very deficient, and indeed delusive, idea of their original; and in none can they give so perfect a representation, but that, if a long poem is indeed worth reading, it is worth while to learn the language in which it was composed. No substitute can answer the purpose. Charles the Fifth's rodomontade in encouragement of linguists, that a man was worth as many more men just in proportion to the number of languages he knew, is a Quixotical exaggeration. But it may be safely said, that the language of every people contains the truest revelation of its character;—also, that the best part of beauty, of every kind, has something about it too evanescent and mysterious to be transmitted by any expedient of art. In the human countenance, it is that which no portrait—as, in poetry, it is that which no translation—can ever give.

Applying our principles to the case before us, what is the result? If there is no special evidence in confirmation, there is nothing to raise a suspicion that our general theory should be changed. Various and yet peculiar as is the German language, nevertheless, its roots, connexions, and sympathies, are so intertwined with that of England, that from amidst the numerous attempts now making in poetical translations, we would back the translators from the German against the field. We are, indeed, disappointed in the present instance. By some mistake or caprice, Lord Leveson appears to us to have generally selected subjects not at all suited to his power. There are exceptions. Among the smaller poems, of those whose merit principally consists in their spirit, some are rattled off with very considerable effect, like a piece of noisy music;—two or three of Körner's especially. His 'Song of the Sword,' written

a few hours before the battle where he fell, brought back to our thoughts Leyden's 'Address to his Malay Krees,' written whilst a French privateer was pursuing them off Sumatra. But Körner's verses are as much superior to those of our Oriental scholar, as the inspirations of patriotism ever those of simply fearless valour might be expected and ought to be. Again, there are occasionally a few conversational couplets scattered up and down the dramatic dialogues, very smartly and cleverly done. But our real opinion on the two principal translations must of course be determined by the impression that the whole produces. As translations of a whole, however spirited in parts, they are decided failures. The degree to which they are failures, we can explain on no other supposition than that they have been taken easy, as the playthings of an idle afternoon. This appears also more probable from there being here and there such obvious mistranslations as seem incompatible with the fact, that the text was corporally and seriously under the translator's eye at the time he was turning it into rhyme. By a little more care, Wallenstein might be improved exceedingly. If Faust is translatable at all—which we almost doubt—there can be no doubt that Lord Leveson is not the pre-appointed instrument for that most arduous literary achievement.

The boldness is more to be admired than the discretion which could lead any one, for a trial of strength, to the choice of Faust. It is a sort of monster in literature;—redeemed only as a work of art by the prodigious hardihood displayed in its invention, and by the marvellous ease of its execution. Redeemed in a better sense we cannot say it is. Notwithstanding the omission of sundry objectionable passages, the immoral tendency of the design and incidents is so ground into the whole substance of the work, that the selection of it for the exercise of his talents must negative whatever claim Lord Leveson might otherwise bring forward to the proverbial epithet of his poetical namesake. It is a book which Lord Eldon would assuredly outlaw at once. The story is, in plain English, neither more nor less than the adventures of a German Student, who, having overread himself into weariness and disappointment, quits his books for life and nature, by turning debauchee, and seducing a servant-maid. The poetical machinery, by which a subject so unpromising is worked up into one of the most extraordinary Dramas in existence, turns on a bargain between God and the Devil; the terms of which are, that the luckless Professor is to be surrendered up, after the example of Job, to the temptations of Satan in his immortal character of Mephistopheles. This bargain the said Professor afterwards confirms in his own person, by a deliberate sale of

himself to the Devil, who makes his first appearance in the shape of a poodle dog. The remainder of the poem consists of the half-reluctant and half-penitent apprenticeship which Faust, whilst nominally the master, is really serving to his diabolical companion. The human incidents, thus moralized or diabolized, are simple enough; but their effect is wildly diversified with poetry, profaneness, and demonology, in an infinite variety. We are hardened against the consequences of books in England; but in a country where a book is said to be received as a fact, we should dread this splendid sneer on the imbecility, vanity, and hypocrisy, of human learning and human virtue. If young men take to the road, on the authority of The Robbers, commit suicide because they find a precedent in Werther, many a lecture-room in a German University, among the various causes under which they occasionally blow up, may set down Faust for a principal element of explosion. Faust appears to us, both in its matter and manner, the extreme compound of German genius and German extravagance. Is it likely that any one but an English Goethe should find the magic style, &c., which could popularize so supernatural, and at the same time so familiar, a fiendish fiction among us? There are some remarkable fragments of it by Bysshe Shelley. But Goethe has combined in the several parts of this strange production, examples of every species of his boundless talents—Shakspearian imagination—the obscene caustic scepticism of Bayle or Gibbon—the cold and flippant irony of Voltaire. If the author of Cain and Manfred might have done justice to the bitter and sublime remonstrances against God and Nature, yet the author of Don Juan could scarcely have preserved the intermingling shades—now strokes of coarse buffoonery—now touches of light and playful humour. The simplicity of its deep and natural tenderness, it is clear, he could not have maintained at all.

The poetry, of course, is the chief compensation which will support an English reader, and carry him through these chambers of incongruous imagery, and among scenes more uncouth and incomprehensible than the temptations of St Anthony to the points of brightness and of rest. Now poetry is the very part in which Lord Leveson is the most feeble. He seems often to be in Audrey's condition: 'I do not know what poetical is. Is it honest 'in deed and word? Is it a true thing?' We have room to refer only to the beautiful lines prefixed as in Goethe's own person to the prologue of Faust. They are either diluted into vague abstractions, or weakened by the substitution of an artificial and ornamental phraseology, instead of his own sweet and natural expression. There is nothing in the original about 'the breast

'of age being fervid to the last,' about 'fountains of unbidden 'tears,' or vanished friends 'cheering the gloom of intellectual 'night,' or that 'to cheerless seas my streams must roll along,' or that

> 'All which gave my maiden muse her grace,
> Fades and evaporates into empty space;'

or that 'o'er his frame a pleasing frenzy strays,' or any thing about a resignation of her reign by cold reality. The English, compared with the German, is like a milliner's rose taken out of a bandbox, crisp and scentless, and placed opposite the morning rose blushing on its native stalk. Further, in regard to the nature of the substituted ornaments, there may be a necessity for adopting false ringlets, but there can be none for putting powder in them. The liberties freely taken with the letter of the text, ought to have been justified by some corresponding advantage. No one expects, in the case of poetry, the close precision of an interpreter of evidence in a court of justice. On many, indeed most occasions, it may be impossible to literally transfer from one language to another a burst of tender feeling, and to retain line for line the power and simplicity of the first creation. But in this case, and elsewhere, as often as the materials of two idioms do not admit of this strict conversion, the talents of a translator are tried by the adopted means to which he has recourse. He should make it 'stuff o' the conscience' to remember that the slightest variation from the words and meaning, style and spirit, of his author, is a *primâ facie* offence, for which he must render an account. It will be justifiable or excusable, manslaughter or murder, as the case may be.

Schiller is a much easier writer to deal with than Goethe; inasmuch as he is original, yet always belongs to the common classical school of Europe. There is something very natural, but quite new, in the design of Wallenstein. The fatal period comprised in it is short—that of the double conspiracy—his own against the Emperor, and the Emperor's against himself. It is broken up into three successive parts—Wallenstein's Camp, the Piccolomini, and Wallenstein's Death; forming in the whole a *trilogue* which, we suspect, Athens never surpassed. Being thus circumscribed, it has none of the narrative and annalist character of one of Shakspeare's historical plays. Nor does it attempt the progressive growth of a passion, like ambition, driven on by its imperious instinct, as in the tragedies of Miss Baillie, or developed under the fatal temptation of circumstances beckoning on, as in Macbeth. Yet the effect of much of this panoramic view of contemporary life, as well as of the glimpses down

the interminable vista of the human heart, is admirably combined. This, it appears to us, is principally owing to the singular skill with which the first part is managed, so as to seem painted in, like a grand Background and Horizon to the remainder of the piece. Coleridge's* splendid, but very unequal, paraphrase of the two latter parts, has made the most ordinary reader of English poetry well acquainted with them. But his reader sees them to great disadvantage, deprived of the depth and colouring (the condensed and gathering storm) which it was the express object of this bold dramatic preface to work up, and to hang like a dark electric cloud over the principal plot and personages, when they were subsequently brought upon the stage.

This omission Lord Leveson has now supplied, by the translation of the introductory part, called Wallenstein's Camp. The duty required of the ancient prologue was little more than just that amount of information, in the form almost of an advertisement, concerning the parties and their previous story, which should make the *medias res* intelligible, without beginning at the beginning. Shakspeare, it is true, has found a much more truly poetical use for the prologue, than occurred to any of the

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* We have too long admired Mr Coleridge as having about him a vein of the true poet—one of Democritus's sort—not to be aware that it is out of the question to expect he should 'peruse and settle' his translation, like the draft of a conveyance, or we should have much to say to him thereon. However, on one occasion—Thekla's Song—he expresses himself so dissatisfied with his version, that he gives in the note another experiment by a friend. Is he, in truth, better satisfied with that? In that case, with less diffidence—but in any case, with the spirit in which a peasant offers a basket of apples to a wealthy neighbour—we beg to tender him the refusal of a third. He has claimed, or at least exercised, so much more extensive rights over the text, that we do not feel it necessary to apologize for 'the Blossom on Earth's Tree,' as being *novas Frondes, et non suq Poma*, unless he should consider that the ingrafted slip is out of character with the parent stem.

'The clouds are flying, the woods are sighing,
The Maiden is walking the grassy shore,
And as the wave breaks with might, with might,
She singeth aloud through the darksome night,
But a tear is in her troubled eye.

'For the world feels cold, and the heart gets old,
And reflects the bright aspect of Nature no more;
Then take back thy child, Holy Virgin, to thee!
I have pluck'd the one blossom that hangs on earth's tree;
I have lived—and have loved—and die.'

ancients, in that beautiful opening to Henry V. By this means, combined with the brilliant chorusses from time to time so vividly interposed, Shakspeare has there not only thrown a very sufficient bridge over the loose and crumbling chasm, which the breach of unity of time and place, it must be confessed, often awkwardly creates, but has kept up throughout a dramatic breadth and power, that it would seem otherwise impossible to give to the scattered incidents of a campaign. The first of these objects Schiller did not want. On the preliminary plan which he has here devised, he prepares and accomplishes the second in a more extensive form, and with greater theatrical effect. Schlegel considers Henry V. as Shakspeare's favourite hero. Accordingly, some of the camp-scenes in that play have the same design as that with which Wallenstein's Camp is so skilfully planned—the pourtraying the devotion of an army towards its victorious leader. By separating this part of his subject, and marshalling it in advance, this precise object is as distinctly attained by Schiller: and with these advantages, there is no necessity afterwards for interrupting the regular course of the principal plot, and interposing a new class of *dramatis personæ* simply for that, which, although most important, is yet a collateral purpose. Having set aside a portion of his canvass for a grand military picture, he got also room enough to do justice to a subject perfectly unique, as he has treated it, and which must otherwise have been pushed into a corner.

Wallenstein's Camp, taken by itself, is a more vivid sketch of a soldier's life than a battle by Wouvermans, a campaign by Callot, or a Cossack and his horse by Vernet. We do not wonder that, when it was acted at Berlin, on the opening of one of their campaigns, shouts of enthusiasm from the assembled officers burst from every corner of the house. It is strange that, after mentioning this incident, Madame de Stael should be still so much in bondage to the prejudices of Paris, as to call a piece of such irresistible excitement a burlesque—the reason of this being, to all appearance, nothing more or less than that the *dramatis personæ* are taken every one of them out of the lower classes—the peasant, the sutler's wife, the quibbling capuchin, the recruit, and the private soldiers. To put the soul of poetry into the coarse enjoyments of common life is no ordinary triumph. The Beggar's Bush, or Opera of Burns, is a greater effort of genius than many lyrics. But more than this, Schiller has thrown a dash of heroism, as well as the light of imagination, over these humble groups. The French revolution, it is said, 'has 'brought out a new hero, the greatest of all,—the people.' It is impossible, whilst these bold adventurers are comparing notes,

and in the earnestness of proud and gay contention unbosoming their feelings, not to acknowledge, that in the camp and the day of battle the ranks of an army contain its thousands who have every thing of heroism equal with their captains, excepting epaulettes and fame. Mere mechanical command on one side, and obedience as mechanical on the other, are poor distinctions. The stronger this conviction—yet, when one looks as from a height, on a scene such as Schiller here presents to us, and sees the streams from a thousand hills brought down at one man's bidding to meet in the same channel and rush forward—one and the same wave—we bend, with all around us, before the power and predominance of a single mind. Such seem to have been Hannibal, Wallenstein, and Napoleon, surrounded by their troops.

'Upon the gloomy background of this scene—
A bold attempt of an undaunted spirit—
A desperately daring man is painted.
You know him, him the raiser up of Hosts,
Crime's worshipp'd idol, and the scourge of kingdoms—
The Emperor's prop, and object of his fear;
Fortune's adventurous son, who, borne aloft
Upon the fav'ring influence of the time,
On honour's loftiest summit placed his foot,
And, still unsatisfied, his course pursuing,
A victim to untamed ambition fell?
'Not he the pageant of our scene to-night.
Yet, mid the ranks of those his orders lead,
His spirit and his dimly-shadow'd form
Will walk in union.'

This translation is meant, we presume, as a sort of installation ode on Lord Leveson Gower's appointment to the War Office. We doubt whether Mr Hume will receive it as part payment on account. But it may become popular at the Horse Guards, and with military bands. There is certainly considerable talent, as well as considerable carelessness, displayed in parts; and, as usual, the passages of most poetry are those which are done the worst. We can give only Lord Leveson's version of the song with which the piece concludes. It is a sort of ballad, in which the principal characters of the play take each their verse:—

Second Cuirassier.

'Up, comrades, up! to horse, to horse!
To freedom and the field!
'Tis there that manhood knows its force,
The heart is there reveal'd;
'Tis there on no other the brave may rely—
He must fight for himself, by himself he must die.

Dragoon.

'Fair freedom yields the wide world's reign,
And slaves and masters share it;
And craft and falsehood forge the chain
For those who choose to wear it;
But the soldier the term of his sorrows can brave,
And look death in the face.—Who shall call him a slave?

First Yager.

'The cares of life he flings away,
Its doubt, its fear, its sorrow;
He beards his fate:—if miss'd to-day,
Is hit perchance to-morrow.
Are we mark'd for the morrow? Time's goblet runs low—
Let us drain the last exquisite drop ere we go.

Sergeant.

'From heaven his lot derives its birth,
By no long toil extorted,
Which still for treasure digs the earth,
By stones and rubbish thwarted.—
It digs and it shovels, and fashions with pain
The grave which its maker's own dust shall contain.

First Yager.

'Mid festal lamps, a fearful guest
The trembling bridegroom counts him,
Who thundering comes where none request,
The steed and he who mounts him.
His suit is not settled by parchment or form—
He wins not by parley, who woos but by storm.

Second Cuirassier.

Why pales the cheek, why drops the tear?
Oh, see him part more coolly!
He has no lasting quarters here—
How can the brave love truly?
His fate drives him onward, and how can the mind
Be left with its loves and affections behind?

First Yager.

'Up, comrades! bridle and away,
With breasts for battle panting!
Youth boils, and fresh life flings its spray—
Up, ere that life be wanting!
Who would share it must stake it, and none who refuse
The hazard shall gain it—who stakes it may lose!'

In a spirit of foolish fairness, we will enable Lord Leveson thus far to take revenge. Should he think the translation that follows a more faded representation of the original than the above, it will only be another proof of the truth of Shakspeare's maxim,—

'Were it as easy to do, as to know what ought to be done, chapels 'had been churches, and poor men's cottages princes' palaces.' Many a critic has, we fear, been often justified in damning a play, and hissing a performance, though of infinitely less demerit than any possibility of his own. Our verses may claim, at least, the negative propriety of keeping somewhat closer to the metrical movement of the German; nor have we put into the mouth of a dragoon the words of a maudlin maiden, and let him speak of a soldier's death as the 'term of his sorrows;' nor have we made the last notes of a flourish of trumpets for the charge send these veteran fatalists into the fight with an omen of discomfiture—in the disheartening close, 'who stakes it may lose'—ringing in their ears:—

'To horse, my brave comrades, to horse! once met
In the field, we're again our own;
In the field a man is worth something yet,
And the strength of his heart is known:
There nobody takes of the soldier the wall,
'Tis man and himself—to stand or fall.

'Spirit and freedom are banish'd the land,
Master and slave alone you see;
Falsehood and cunning are high in command,
Down to the vassal of low degree.
Who calmly can look at Death full in the face,
The soldier's the freeman—the last of the race.

'All care about life he has thrown far away,
Nor hears tell of fear or sorrow;
Boldly he rides to his fate to-day—
If it comes not to-day, it will come to-morrow!
Then, if we've no morrow, to-day let us sup
Our last joyous drops from Time's holiday cup.

''Tis folly to strive, and to struggle, and toil,
When Heaven sends a life of pleasure;
Let Hodge pass his days in upturning the soil,
And grovelling for hidden treasure:
He digs and he shovels, a pitiful knave,
Till at fourscore he finds himself digging his grave.

'One spring from his steed, and the rider alights,
A swift and fearful guest;
The bride-torch burns bright on the castle heights,
Uninvited, he joins the feast:
He stops not of parley or ransom to hear—
The storm of a midnight 's the pay of a year.

'Why mourneth the maiden, and weepeth so sore?
Our motto is—Move, boys, move—
Our billets are quarter'd the wide world o'er,
And leaves us small leisure for faithful love:
In no happy valley our tents are cast,
Fierce destiny urges us forward too fast.

'Then up, my brave comrades, and on with the bridle!
More freely we breathe in the thick of the fight;
The foam of youth's torrent is all the idle
Brush off—but let us do our work ere night.
Set your lives on the cast, and dash gallantly in:
Who nothing will venture, they nothing shall win.'

Poetry with Lord L. Gower is evidently an art and an accomplishment; not a prophetical impulse, or divine necessity of nature. There is nothing of 'that which the spirit putteth into 'my mouth, that must I speak.' The only object in publishing verses written for mere amusement, must be that their author may obtain, in some way or other, the opinion of the public; therefore we feel at liberty to tell Lord Leveson, that he has conceived, from the first, far too humble an idea of poetry, even as an art; and that, if he has found amusement in these matters, he has acquired an art far better than the poetaster's,—to wit, that of being easily amused. Nevertheless, there are scattered up and down sufficient proofs of a light and lively hand, and a versatile management of numbers, to show that (in case he be willing to stoop to the requisite degree of concealed labour) he may look to a higher station than that in which the present volumes will place him among the middling poets of the day. It is our deliberate opinion, that he should patiently adhere to his plan of translating the thoughts of others, rather than risk any rash experiments with his own. As far as the choice of a subject is concerned, he appears much better qualified to do justice to writers characterised by spirited movement, or familiar and pointed sallies, than to masters of a higher mood, or to the minglers of the bright and delicate shades of feeling and expression. He will find ample scope and verge enough in the hourly enlarging field of German literature. Its philosophy, indeed, is too subtle and airy for our coarse and mechanical understandings, which seem to insist on some practical application even in the case of metaphysics. But German poetry has an affinity with our own. There is a beautifully imagined ode by Klopstock, where he represents the Muse of Germany entering the lists, as for a race, with that of England. The cloud of dust and the intervening distance are supposed, as the competitors approach

the goal, to conceal them from his sight. We moderns shall have shame, rather than honour, from the testimony borne in it to our mighty masters, if we can consent to an inglorious repose upon ancient, though indeed immortal, laurels. We would fain explain the woful exhibitions so long made by us in the Drama, by the single error of our having been tempted to try our fortune on this course under the cramping pressure of French pumps, rather than in the noble buskins of our forefathers, glorious in the dust of a hundred triumphs. Under this impression, we see no reason why we should shrink more in the case of tragic than in any other form of poetical rivalry, from Klopstock's challenge. When the clouds roll from before that goal, God grant that our nineteenth century may show us (what, assuredly, our eighteenth cannot) an English dramatic poet, whose name is worthy to be mentioned with the names of Goethe and of Schiller!

ART. XIII.—1. *The Result of the General Election; or, What has the Duke of Wellington gained by the Dissolution?* Third Edition. London: 1830.

2. *The Duke of Wellington and the Whigs.* London: 1830.

3. *Government without Whigs; being an Answer to 'The Country without a Government,' and the Edinburgh Review.* London: 1830.

THE readers of this journal will certainly not expect us to take a side with the partisans who range themselves in opposite factions in a purely personal affray. But we must again disclaim any participation in the silly notion that '*measures, not men,*' deserve the people's attention,—a doctrine always ventilated, or rather an outcry always raised, by the slavish adherents of bad rulers, for the purpose of giving their employers breathing time to work mischief, and preventing the people from looking after their own rights and their own interests, until it is too late. It is a doctrine which, if universally accepted, leaves the worst of tyrants nothing to desire—no help to seek—in the compassing of his most flagitious designs. To preach it now requires no common portion of assurance, when the late events in France were notoriously rendered necessary by the prevalence of this very heresy. Yes! the revolution which expelled the Bourbons was called down upon their heads by those who held it to be clear that France had no right to complain of the Polignacs, and the Peyronnets, until some measures of an evil nature should be attempted by them. Accord-

ingly, the desired time was given, and the first attempt, the 'measure' which these 'men' brought forward, if it had not overthrown the monarchy, would have destroyed the liberties of the country. Yes! the blood which flowed in the streets of Paris was exacted by the folly of those in France, and their abettors in England, who denied that it was of any moment who held the seals of office, and bade us wait till we saw their acts before we demanded their removal.

It pleases the same reasoners (shall we call them?) to advance a like doctrine in our own country, and to urge its application to the conduct of our own affairs. According to them, it signifies not that the ministers who rule us should be, with one exception, men of no account, destitute of all will of their own, blindly submissive to the dictates of an imperious colleague, and that colleague professedly ignorant of any civil lesson which can befit a statesman's vocation. It is of no moment that they should *almost* all be persons devoted to the worst principles of policy, foreign and domestic,—the well-wishers of arbitrary power in every form,—the enemies of improvement at home as of liberty abroad. 'Look at their acts,' it is said. 'Have they not allowed 'the Dissenters and the Catholics to be emancipated? Have 'they not passed the beer bill?' The answer is, that, in spite of their uttermost exertions, the Dissenters carried their own measure, and the government yielded; that rather than resign their places, the ministers resigned, some with a better, and some with a worser grace, their steady attachment to the Penal Code; and that the measure of their adversaries respecting beer, which they had so often resisted, they now adopt as their own, without one additional reason being discovered in its favour since they last joined in defeating it.

The Tracts before us are on opposite sides of the question, and of unequal merit. The first is one of great and admitted force; the second is of a dulness and debility which might bespeak its relationship with almost any member of the cabinet; the third is far less defective in ability, by no means wanting generally in candour, but marked with extraordinary inconsistency, and not a few perversions of known facts.

The '*Result*,' as its title implies, is chiefly occupied with a detail of the effects produced by the late elections upon the numerical strength of the parties which divide our senate. It seems the Minister had promised his Sovereign to strengthen himself by the dissolution. As long as the late King lived, no proposition could be made to extend the basis of the ministry, by including in its service the ablest of its antagonists, even after the principal bone of contention had been removed,—the Catholic

question. 'His late Majesty was always guided by personal 'considerations, and he must not have his temper ruffled by 'names of grating sound.' This being founded in fact, served excellently well for a reason why the Duke of Wellington should not propose Lord Grey to his master as a colleague, and why Lord Grey's Friends, who had refused to join the ministry of 1827, because of his exclusion, or rather his voluntary standing aloof from it, should now consent to join the Duke of Wellington, who chose to exclude the noble Earl when he no longer stood aloof. The king died; his successor had rather a liking for Lord Grey and his friends than any prejudice against them; indeed, he was closely connected by marriage with one great Whig house. There was an end then of the former reason: we call it not, as many did, and far more think themselves *now* entitled to do, a pretence. Some new ground must be discovered for refusing to coalesce with Lord Grey; accordingly, it is stated, that on his Majesty graciously and wisely, and very naturally, asking the question, 'Don't you want strength?'—The answer was—'The general election will strengthen us.' Possibly the minister who so informed his royal master was so ignorant of his new trade as to have made a calculation that he should really gain in numbers. But did he—could he know so very little of his position, as to deem that any gain of mere numbers would cover its weakness? Did he indeed fancy that so deplorable a spectacle as his debates in both Houses exhibited last session, could be mended by a few added to his divisions only? We are bound, at all events, to believe that he thought as he said to his sovereign, and that he has since lost no time in laying before him the 'Result of the General Election,' and showing how grievously he had miscalculated.

The tract before us is intended to help both parties; the Minister, in setting his Master right, after having misled him through ignorance—through an ignorance hardly to be imagined, of the country he pretends to administer—and his Royal Master, should the Minister, by any oversight, neglect to correct the gross errors of his former statement. Instead of gaining, the list of places and names proves him to have lost above twenty. The runners of the Treasury had boasted that they should gain *ninety-three*,—an odd number, assumed of course to give a delusive resemblance of reality to the statement. Their brag has come down to twenty-one since the election; but the authors of the tract before us (for it bears plain marks of being the contribution of more authors than one) having gotten hold of the Treasury calculation, by which it was reckoned that the Opposition gained twenty-five in England and six in Ireland,

at one stroke overset the whole estimate, by printing a list of forty names and places in England, and eleven in Ireland, where it is said to be clear that changes have taken place in the Opposition's favour; thus reducing the Treasury calculator to the unpleasant dilemma, as he cannot deny the returns, of either denying that the members in one column of the table for the Last Parliament were Ministerial, or denying that those in the other column for the New Parliament are Opposition;—an alternative which, we believe, will hardly be seriously adopted in more than one or two instances. By like arguments, or rather facts, is the whole of the Treasury statement taken to pieces; but we abstain from dwelling on what the pamphlet terms the 'Book of Numbers,' a volume, it adds, 'now *for the first time* 'fatal for the ministers.' We rather would advert to the other results of the election, as these are of public notoriety and of unquestionable importance. And here we cannot avoid referring to our own discussion of these topics before the dissolution. That paper has given extreme offence to the adherents of the ministry; a few unimportant individuals here and there to be found, venturing, gallantly enough, let us candidly own, to raise their small voices in behalf of their employers. Among the rest, one or two of the London Journals have taken us roundly to task for our heresies; and treating us in a very contemptuous fashion, and looking down upon our humble talents in a way we hardly can think their superior ability quite justifies, have also been pleased to ascribe motives of a somewhat sordid kind to our conduct. It would not do to charge us with the kind of bias so often imputed to journalists, whose conduct varies with every wind that blows—who one day try to magnify a party, and the next to blacken it—who in four-and-twenty hours can wheel round from being the bitter enemies of an illustrious individual, to become the unflinching and bitter champions. It would hardly have answered to explain our consistent adherence to the course we had for above a quarter of a century pursued, through good as through evil report, by any of those solutions often applied to account for a course as devious and uncertain, if not quite so brilliant, as a meteor's—more fickle, if less pure, than the wind's. No one would have credited any tale that might have been invented of us, that we looked to the favour of Lloyds, and the 'Change,—or that, peradventure, the genius of the Stock Exchange inspired us,—or even that we were anxious for priority of intelligence from Downing Street,—or that we were misled by the love of self-importance, and *ambitioned* (as the newspapers call it) the name of a Government organ. All such weapons, as against us, being wholly pointless,

it was thought better to suggest, that we had lent our pages to some discontented politicians, who loaded them with the natural produce of their disappointed ambition,—complaints against those who had refused them preferment. Had we done so, our offence would have been great; we can only say, that if the names of the authors were disclosed, which they one day may be, their publication would overwhelm the accusers with *the most unbounded ridicule.* The mistake is *so ludicrous,* that we are sure no other feelings than merriment can ever have been excited by it. Other journals, once liberal and independent, have pursued a like track with less violence, after their more feeble, and, what is no doubt intended to be, more candid manner—that manner in which the greatest interests are now habitually given up to serve we know not what purposes, neither care we. The brethren are in some things, no doubt, alike; but we believe both did not espouse the cause of the Prince Polignac last year; a slip rather unpleasant for those to have made (through the excessive zeal incident to recent conversion) who swear by success, decide by the event, and abhor a falling cause with a hearty hatred, no matter how sacred the principles by which it is made dear to virtuous bosoms. This slip has of late, no doubt, been repented of with sufficient bitterness; and infinite zeal is now displayed on the right side, in the vain hope of burying the miscalculation in oblivion. Had that expectation of Polignac's success been fulfilled by the event, he must have gone pretty far towards founding a despotism in France, before he would have incurred the dislike of his new and somewhat unexpected allies. But to return from our digression.

In the paper so much vituperated by the Government writers, and, therefore, as we conjecture, so painfully accurate in its statements, we ventured to predict that the ministry would find a dissolution, their mainstay, wholly inadequate to remove their most glaring defect—*want of force in debate;* because it would not get rid of the powerful and popular men who steadily opposed them. Among those statesmen, we enumerated the two Grants, as sure to be returned for other places, should the ministers succeed in the efforts we doubted not would be made, to unseat them in the north. As we expected, so it turned out. No greater efforts were ever made by any government to get rid of formidable adversaries. Happily these efforts proved abortive. Mr C. Grant is again returned to the sphere of his usefulness, but with a weight increased by the admission of his power which the attempt to displace him involves. His learned and able brother was unseated for the rotten and ungrateful borough which he had honoured by representing it; but he defeated with infinite

disgrace the brother of his adversary, and now sits for the great and populous city of Norwich, the member of its free choice. Again, we asked if Lord Palmerston or Mr Stanley were likely to be rejected? They are returned as vigorous as before—as far superior, singly, to any force which the ministry can bring against them both. We also mentioned Mr Hume. He is now member for Middlesex. We asked if the Duke of Wellington could possibly imagine that Mr Brougham would not be returned to the new Parliament. He is now, by an event wholly unparalleled in the history of elections, the popular member for Yorkshire; and we can venture to assure the Duke of Wellington, inconceivable as it may seem to one educated in camps, and ignorant of civil life, that a man has a good deal more weight in Parliament when he represents thirteen or fourteen hundred thousand people, than when he has no constituents at all. Lastly, we asserted that the high talents and exalted character of Mr Denman would grace the new Parliament; and he is once more member for Nottingham. These are facts; and they deserve to be well weighed by him who would estimate how much the general election may have strengthened the ministry.

But this is not all. Was ever Ministry so defeated wherever they dared to show themselves? Not one Cabinet Minister sits for one popular place. All but our much-respected and much-misplaced countryman, Sir George Murray, sit for the closest of close boroughs; and it is enough to say that he is member only for a Scotch county. It is in vain to say, as the Duke is reputed to have done, that it won't do for Cabinet Ministers to have large bodies of constituents. Mr Pitt had Cambridge; Mr Fox had Westminster; Lord Howick had Northumberland; Mr Perceval had Northampton; Mr B. Bathurst had Bristol; Mr Peel had Oxford; Mr Huskisson and Mr Canning had Liverpool; Mr Yorke had Cambridgeshire; Lord Castlereagh had Down; Mr Tierney had Southwark. His Grace's words, by a slight change of collocation, would have told the truth a good deal more accurately, —'It won't now do for large bodies of constituents to have Cabinet Ministers for their members.' It is a new, an unheard-of, an un-English doctrine, that Cabinet Ministers must be men whom no populous place will choose to represent it. We deny the position entirely; but we deny also, that it is the honest reason why our Ministers have not among them all one free election: we believe it is that none of them all could find a place where the popular choice would have fallen upon them.

The family of Sir R. Peel shows this plainly enough. He had, says the '*Result*,' five or six defeats among his brothers in about ten days. Norwich, Derry, Dublin, Newcastle, Tam-

worth, to say nothing of Cockermouth, attest the public favour in which 'this powerful and popular family stands;' while the only connexion of the Duke of Wellington who showed himself on the hustings anywhere,—his nephew, Mr Long Wellesley,—was defeated in Essex, after a fifteen days' contest.

Nor is this all. The example of Yorkshire was not thrown away. Devonshire returned Lord Ebrington; Norfolk flung out Mr Wodehouse, and elected Sir W. B. Foulkes; Suffolk dismissed Sir T. Gooch; Mr Liddell yielded to Mr Beaumont; Mr Davenport was succeeded by Lord Belgrave, in Cheshire; Mr Sandford succeeded Sir T. Lethbridge, in Somersetshire; and last, and most notable of all, the Duke of Rutland, the supporter of the Wellington Cabinet, who had headed an anti-Catholic petition with his name, and instantly afterwards voted against its prayer at the Minister's commands, was signally defeated in Cambridgeshire. Truly does the tract before us, in commenting upon this marvellous conduct of the Duke, say, 'These things 'cannot—no, they cannot—be done always with impunity. If 'a like fate should now befall the Lowthers, they will at least 'have the consolation of reflecting, that their conduct was consistent, and that they *forced* the Dictatorial Minister to bend, 'and suffer them to vote as they had previously done upon the 'great question of the day.'

But is it nothing to a Ministry, and to so imbecile a one as the Duke of Wellington's, that in England, they have lost by one election, no less than nine county members! How many does it leave them? The '*Result*' answers this important question,—'There are, it seems, forty counties, returning eighty-'two members, in England. Of these only twenty-eight are 'Ministerial voters; forty-seven are Opposition; and seven are 'neutral, not leaning much towards the government.' 'Did 'ever Minister (asks the tract) yet meet Parliament with such 'a preponderance of the county representation against him?' But a difference of eighteen has been made in this important class of members by the dissolution. So much for presumption; so much for the silly, and, of a great man, the most unworthy, folly of supposing he can drive a trade with success, of the very rudiments of which he knows absolutely nothing!

Furthermore: 'Of the thirteen great popular cities and bo-'roughs, with hundreds (London, Westminster, Aylesbury, &c.), 'returning twenty-eight members, only three seats are held by 'decided Ministerial men; twenty-four by men in avowed op-'position. There are sixty-two other places which may have 'contests,—being more or less open,—they return one hundred

'and twenty-six members. Of these only forty-seven are Mini-
'sterial,—all the rest are avowed Opposition men, save eight,
'whose leaning is rather more against the government than for
'it. Of the two hundred and thirty-six men, then, returned by
'elections, more or less popular, in England, only seventy-nine
'are Ministerial votes; one hundred and forty-one are in avowed
'opposition, and sixteen of a neutral cast. If, therefore, the
'Ministers are to make any head against a force of two to one
'against them, from every part of the country where the popu-
'lar voice is heard in elections, it can only be by means of the
'rotten boroughs and the Scotch members. Everywhere else
'they are in a minority altogether without a precedent.'

We have unwittingly been once more drawn into the *Book of Numbers*;—the following passage refers to a more general view of affairs:

'But the election has other matter of serious reflection to afford the Duke of Wellington. The Aristocracy has been taught a lesson, which, if received in the spirit of wisdom and humility, may prove most salutary, but can in no way be pleasing. The secret has been imparted, which all men ever wish to shut their eyes upon—the secret of their weakness. The people of England have begun to exert the power with which extended knowledge arms countless numbers, and they will, beyond all doubt, obtain an influence in the *management of their own affairs* commensurate with their just title to it. They have thoroughly discovered their own strength—Yorkshire—Devonshire—Cambridgeshire—Surrey—even Leicestershire—certainly Suffolk—bear witness to it. Woe to the rest of the community, if they long remain blind to it, or incredulous of it, or careless of the consequences which must, and that speedily, flow from it! The schoolmaster is abroad with a vengeance; and now will be fulfilled that which was spoken—"With his primer he will prove an overmatch for the Field-Marshal's baton." But in such times, at a season when their whole influence is at stake, will the Aristocracy of England blindly trust their case in the hands of the most ignorant and inexperienced of Ministers, with colleagues the pity or the jest of all beholders? At a time when the utmost vigour and the largest provision of civil wisdom is manifestly required to keep the system together, by a happy union of needful firmness with well-timed concession, will they be content that the chief power in the State should remain in men who, having no influence or credit with the country, can have no will of their own, nor keep to any fixed purpose for twenty-four hours together, but must needs be the sport of every breath that blows, and be tossed about as the force or caprice of any party may chance to point? The great families are, indeed, with one or two exceptions, all against this incredible Ministry. In the whole Cabinet there is neither rank nor property; and among its supporters, the Beauforts and Rutlands, whom all governments reckon upon, stand aloof from the rest of their order; for even the Lowthers lend it a most reluctant and divided support.'—Pp. 21—23.

The pamphlet next details the lessons held out by the late glorious events in France,—a subject which we have discussed at some length in the present number;* but the following passage so strikingly illustrates one of our positions, that we must do ourselves the pleasure of extracting it:

'But two defences have been set up on this most important question by the "*parasitical*" tribe:—The Duke, it is said, has been ready to acknowledge the King of the French; therefore he approved of the glorious event which has made every free heart in Europe leap with joy. In other words, the policy of the Polignacs being irretrievably discomfited, and disgraced past redemption, in the eyes of all mankind, the step which followed of necessity, of allowing that Lewis Philip was reigning Sovereign of France, proves our Minister to have rejoiced in Polignac's ruin. As well might it be contended that Napoleon's retreat to Paris, and from thence on shipboard, proved him to have exulted in the battle of Waterloo! As well might it be argued, that the Duke rejoices in the honours paid to the ashes of Marshal Ney, because he does not send forth an army to tear them from the Pantheon, where the hands of his grateful countrymen have enshrined the victim of what Mr Fox justly called, "that worst of revolutions—a restoration!" No, no; many things that are impossible will come to pass, and much that is incredible will be believed, before any man of ordinary observation will credit so vain a tale as that the Duke of Wellington ever knew a more bitter moment than that in which he read of the *summary* triumph of the French *people*, and saw in it the triumph of the people's rights all over the world.

'The other ground of defence is this:—Does any one, it is said, suppose the Duke, with all his hatred of popular rights, and all his love of legitimacy, a mere driveller? Then how *could* he approve of conduct so insane, an exhibition of weakness so deplorable, as that of Polignac and his Master?—But who ever said that he did? or ever dreamt that he approved the course which those infatuated creatures took to gain their object? It does not follow, however, that he did not wish heartily well to that object; possibly veiling its deformity to his own mind, under the specious phrases of "firm government"—"legitimate throne"—"vigorous support of the existing arrangement"—and so forth. That he may dearly have desired the end, and bitterly regretted the means, is altogether conceivable, without the least impeachment of his honour, or his consistency, or even his

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* The late events in Belgium have excited some alarm in this country,—ill-grounded, as we think, because the situation of the Belgians was very peculiar. But we see no reason whatever to join those who go about clamorously bawling out against all the established institutions of this free country, where no direct attempts against liberty are to be dreaded. The lovers of liberty may well and conscientiously applaud the revolution in France, because it was necessary, without the least approval of the Belgian change—still more without the least approach to a wish for change in England.

good sense. What pope was it that remonstrated vehemently against our James II., for hurrying on the reconcilement of England to the church of Rome with such fatal impatience? What prelate was it that soon after saw the royal fanatic an exile, and exclaimed, "There goes an idiot, who gave three kingdoms for a mass!" But the pope and the prelate both wished well enough to James's project, and only blamed or ridiculed him for pursuing it like a fool; nay, they may easily have set him upon the adventure, and then, like another intriguer of high name and ancient authority in all courts, have grinned at the failure of their victim.'—Pp. 23—25.

The other lessons derived from the revolution of 1830, are, the power of the people against regular troops; the uncertain support of these as against their fellow-citizens; the probability of Spain, Portugal, Italy, following the French example; the utter discomfiture of all our military statesman's foreign policy in every part of the system, which he and Lord Castlereagh had vainly fancied they had established for ever, while three little days well spent by the brave people of Paris, have crumbled it in the dust; and, above all, the piece of learning least easily taken in by human pride,—his own insignificance,—the Duke of Wellington's own insignificance, henceforth, in the politics of all the states of Europe. This we confess gladdens us mightily to contemplate. The sight of a General Officer, who, from having kept Royal Company, had got to think only of Emperors and Kings; to look upon some eight or ten individuals as if they were the whole human race; to consider himself as one of them; to forget he had fellow-subjects; and to regard every one event and measure solely with a view to the ease and comfort of his Royal associates; was, we fairly acknowledge, a spectacle to our plebeian eyes absolutely disgusting. It is now happily at an end.

The '*Result*' concludes with a rapid, and not certainly a very complimentary, sketch of the ministry.* If it be unlike, then it is of no value; but to complain of it as unfavourable, unless the likeness be impeached, only accuses the subjects, and not the artist. Whoso thinks Lord Aberdeen an able and liberal minister; or Lords Ellenborough and Leveson Gower gifted men; or

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* We think the note respecting Sir J. Scarlett is very far from just towards that eminent person. He is blamed for sitting under a Peer with whom he differs. This is by no means, as we understand the matter, uncommon. If we mistake not, others, of whom the authors of the Pamphlet most highly approve, have done so too. Mr Brougham and Dr Lushington opposed the ministers the last two sessions, while sitting for seats of a noble lord, who, with his family, supported the government. It is understood that these are matters of arrangement between the parties.

Lord Lyndhurst a model either for chancellors or for politicians; or Sir R. Peel capable of doing in the House of Commons that which prodigious vanity alone could make him think of,—standing up singly against all the opponents of the government,—may complain of the portraits which follow. To others, their striking likeness will be their best recommendation:

'It would be easy to find an abler man than the Prime Minister; but impossible to name any one less popular, whether with the aristocracy, the church, or the community at large. Civil experience he has hardly any—political knowledge, none—his talents lay in war, and with the peace they have ceased to be of any more use than an old matchlock or a battering ram. He was of some service while the King's personal prejudices and unsteadiness required the control of a strong hand: with the life of the late monarch, that use too has ceased. If he has any other claims to his station, except his extravagant estimate of his own universal genius, (a new light since his memorable self-denying declaration,) neither the Nation nor the Parliament have as yet been able to discover them. Let them be plainly brought forward, however, by any one who is Quixotic enough to maintain them, and they may be fairly discussed.

'The Lord Chancellor Lyndhurst has notoriously disappointed, by his indolence, all who had formed any expectations of him. He is, by common consent, the most inefficient Keeper to whom the Great Seal has been intrusted, since Lord Bathurst—whose heir-at-law would make as good a chancellor as either his noble and learned ancestor, or his noble and learned colleague. No doubt, as far as personal weight and consideration goes—the dignity derived from consistency, steadiness of principle, and all that goes to make up public virtue—the present Ministry may boast of a share in the person of its First Law Officer, such as none ever had, and such as it would be absolutely cruel to examine in detail.

'Among his colleagues, the Earl of Aberdeen stands distinguished (bold as the assertion may to some appear) for that union of feebleness with presumption—of incapacity in every other man's eyes, with all-sufficiency in his own—which constitutes the ridiculous in character. It is from such originals that the pencil of Cervantes drew the Baratarian Government of Sancho Panza, that of Sheridan his Lord Burleigh, and of Swift his Gulliver drawing upon the King of Brobdignag. Mankind have yet to learn one single ground upon which this lord should affect to hold any other given lord cheap; and yet he never opens his mouth but to try some clumsy sneer. He is supposed to have studied under Mr Pitt, who had some right to indulge in such supercilious demeanour. The Hindoos have an apologue of a dwarf who used to keep company with a giant, and, seeing him always look down upon the crowd, got the habit of looking down when he saw men whose middles he could just reach standing upon tiptoe.

'The other members of the Cabinet it is really difficult for any one not having a peculiarly retentive memory, or, as Mr Brougham would say, "not being good at proper names," to recollect. One, indeed, Lord Ellenborough, is remembered, not from the possession of any shining or

statesmanlike qualities, but on account of certain awkward passages in his history. This individual professed himself at different times the follower of Lord Lansdowne and of Lord Grey; but he left them all upon the first hint of a place from the Duke of Wellington, and he accepted it, with an amendment to the Duke's address ready written in his pocket, which he had had the imprudent vanity to show to several persons. To the Government he joined, he brought a weight of personal unpopularity, which it rarely falls to the lot of any one so little conspicuous as himself to acquire. And if to this disadvantage is added, an overweening conceit —overweening apparently in proportion to the absence of merit—a total want of judgment, and a singular faculty of attracting the derision of others, it will be easily granted that his co-operation is, in fact, a grievous misfortune to the administration which is encumbered with it.

'Of Lord Bathurst, lives there the man so unfeeling, so lost to all the softer emotions of our nature, as to speak in an enumeration of statesmen fit to administer a great empire? If such there be, and of heart so flinty, then the same might also view unmoved the sorrowful plight of Mr Goulburn, and weigh the merits of that good sensible man and most able Quarter-Master-General, Sir George Murray, as a parliamentary chieftain.—Whether or not Lord Francis Leveson Gower be a Cabinet Minister, may be a question; it can be none that, in such a Cabinet, Nature has well qualified him to hold a place, and a prominent one. But though he may rival Lord Aberdeen in hopeless debility, he falls so infinitely short of him in presumption, that it would be a shame to speculate upon the amount of his gain by his late removal from Ireland. He was found to be perfectly unfit for the Parliamentary conflicts of that department; some change of climate was absolutely necessary to preserve his existence. So he is to battle the estimates, night after night, against Mr Hume, for six or eight weeks of the next session, by way of having an easy life, and a task he is fit for.

'Of Sir Robert Peel we have not spoken. He is a man of respectable talents, moderate acquirements, unquestioned propriety, undeniable self-complacency, and brilliant and boundless wealth. Whether these, added to the possession of as much unpopularity as ever fell to one man's share, be exactly the qualifications that will fit him for leading such a House of Commons as is just returned, and against such an Opposition, may be a different thing. He is supposed to have so deep, so devout a veneration for himself, (testified among other things by reverently dropping the voice upon naming the object of his adoration,) as rather to have enjoyed standing alone last session. He probably is now hugging himself in the hope of a like enjoyment at the approaching meeting. If so, it may be asserted with great safety, that, though his portion of bliss be not the greatest, it is at least the most unenvied ever yet bestowed upon mortal.'—P. 33-37.

The second pamphlet, the production possibly of the Treasury talents, is, as we have already observed, a feeble performance. If it be not calculated to excite any apprehensions among the opponents of the government, it is assuredly well fitted to create uneasy feelings among its friends. Nothing can be more lamentable than

its attempts to conceal the weakness of the ministers, if we except, perhaps, its efforts to gild their conduct with praises. Of this take an example in the panegyric given to their conduct touching Portuguese affairs. 'Don Miguel, it is said, when the new 'charter was communicated to him at Vienna, solemnly pledged 'himself, as regent, to conform to its provisions. But no sooner 'did he reach Lisbon, than he violated every pledge he had so 'recently given; the new charter was rejected, and he usurped the 'throne.' Well, then, here is the difficulty half stated; but, adds the ingenious author, 'we had recognised the right of Donna 'Maria to the throne of Portugal.'—Here is the whole difficulty; the whole deception practised on our sagacious government by their friend and ally, Don Miguel; the whole of the proceeding by which that nimble usurper and legitimate had duped our Great Captain, and was laughing at his Grace. How, then, was his Grace's skill and firmness shown? He is the most dexterous diplomatist of the age, as his parasites tell us; he is also the man marked above all men by promptitude and decision; he is a plain, resolute, soldierlike statesman, whom all that venture to maltreat must expect to be annihilated at the very least. The plot thickens; the denouement approaches; we tremble for the daring Miguel; what can save him? Let the Treasury writer unfold the great tale of vigorous decision, dignity, spirit; the theme of a world's wonder and a nation's applause! 'As Don 'Miguel had opposed himself to Donna Maria's rights, (after 'violating his solemn engagements,) we could not *properly* main-'tain our relations with that country.' Doubtless, this will be easily granted. How safe are the positions whereby this writer approaches his point! How well protected from all possibility of attack! How worthy of the Great Captain himself! Can it be, that the Writer and the Captain, like Julius Cæsar, are in truth one flesh and one spirit? We throw out the thought for the occupation of our readers. But what step does he next make? Why truly one that gives the pleasure, at least, of surprise. 'The functions of the British ambassador at Lisbon were '*accordingly* superseded.'—By whom was this bold measure taken? Who had nerve enough to display this matchless stroke of policy?—'The British ambassador at Lisbon was superseded' —(never let the deathless renown of the achievement be forgotten!)—'by the Duke of Wellington's administration.' 'This 'was obviously'—what does the reader think?—'the wise and 'prudent course to take,' &c. &c. P. 15.

On the same plan of powerful panegyric is the rest of this notable tract framed. Thus the proposition to repeal the Test

Act, is stated to have been made soon after the Duke's ministry was formed. 'This was resisted by the Government,' says the encomiast of the Treasury. 'The objections, however, were 'overruled by the House, and the proposition for the repeal car-'ried by a considerable majority.' Now then, what was the measure adopted by a truly wise, decisive, and principled minister? 'The Government considered it wise to *yield* to the pub-'lic voice, so decidedly expressed.' In the self-same style of '*true wisdom*,' did the Duke, it seems, act on the Catholic question, of which he and Sir R. Peel had always been the chief opponents. 'He saw that the hour was come when the question 'must be settled by concession, and that the great impediment 'to the internal pacification of Ireland must be removed.' True —but the question is, why he was so long of seeing this truth? When the comparison is between this minister and his antagonists or competitors, how does it happen that he gives up all his own opinions, and adopts theirs? Has any man living the front to deny, that either the Duke is wrong now in pursuing the policy of the Whigs, or was wrong before in opposing it? Then we have the authority of the writer in question for saying (as he does in the first paragraph of his tract), 'that 'there cannot be a greater error than to suppose a weak go-'vernment better for the public good than a strong one.' But can he help us to a definition of a weak government more fitly, more distinctly expressed, than this—a government which has no will of its own—which does not as it pleases, but as every one else pleases—which exists upon concessions eternally repeated —which lives upon the ideas of its adversaries—which only professes principles in order to abandon them, and adopt those it had combated as destructive? Surely, for instance, though there may be praise due to the man who made a struggle to press through the Catholic question, when he saw the country was ruined without it, no one can pretend he is a very profound statesman who so long resisted it. Surely, too, they who see Sir R. Peel straining every nerve against the repeal of the Test Act one day, as dangerous to the established church, have a good right to marvel, when they next day see him offer Lord J. Russell his best assistance in carrying through the bill. What possible excuse for such conduct is it to say as he did, 'The House 'of Commons has carried the question by a majority of forty!' If the decision had been the other way, (as under every hostile government of any kind of strength it would have been,) does Sir R. Peel really think Lord J. Russell, Mr Brougham, Mr W. Smith, Mr Fergusson, and others, would have come down and

said, 'The House has decided—so we will help you, with all our 'might, to make the exclusion of dissenters complete, by resist-'ing the annual indemnity act?' It must be confessed, that if the man who plays the part Sir R. Peel here played, be not unprincipled, he is at least a politician whose principles hang somewhat loosely about him. The safety of the established church required him one day to oppose the motion. What, then, became of the church and its safety when he volunteered to pass the self-same bill the next day, merely because forty members had decided against him more than for him? Did that change his opinion of the measure? Did that remove the dangers from the church? The truth must be told: he was determined at any rate to secure his own and his family's establishment in office. We don't, however, go along with those who vituperate him for his conduct on the Catholic question. But after what he did on the Test Act, we can hardly wonder at any mistrust of him that is displayed in any quarter. His conduct there was wholly inexplicable—even more so than his memorable opposition to Mr Canning on the ground of the Catholic question, which, it now turns out, he had *then* resolved to support; and his supporting that question, while he avowed that his opinion against it 'remained unchanged.'

This Treasury author, holding the necessity of a strong government, cannot, after all, pretend that we now enjoy that blessing; but he intreats the country to strengthen the Cabinet, such as it is. He asks the trite question—Granting the power of the Opposition, is it sufficiently combined to form a ministry of due strength? Can any man of common candour deny, that either part of the Opposition could form a far stronger government than the present? Can there be one more feeble, one more utterly inefficient? Where could such another Foreign Secretary, Chancellor of the Exchequer, Colonial Secretary, nay, Lord Chancellor, be found in any portion of the Opposition that could be deemed candidates for place? The author, therefore, feeling that he must have other means of strengthening the government, plaintively asks the Whigs why they should stand aloof from a ministry which has emancipated the Catholics; and the Ultra-Tories, why they may not help a government hostile to 'all rash 'theories?' We verily think the latter party do so little believe in this hostility, wherewithal the Duke's defender is baiting his hook, that nothing would surprise them less, than to see his Grace open the New Parliament, in the new character of a Parliamentary Reformer. Why should they marvel at such a metamorphosis, after what they have seen of his Grace and his colleagues?

It is strange to see how this Treasury writer misrepresents known facts. No complaints, says he, were ever made against the ministry at the late elections.—'Even Mr Brougham 'himself hardly thought it prudent to utter a word in dis-'paragement of the Duke of Wellington and Sir R. Peel;' and it is then said, 'that extraordinary man' one day rushes into invective, and another into panegyric. We, however, have read the newspapers of the day, and we marked that all his invectives were against the government, and all his panegyrics reserved for their enemies; and we do not recollect having seen one speech of his which did not cry out loudly against the utter imbecility and incapacity of the ministry, as now constituted. Especially, we may allude to the great meeting at York, of all parties, to the number, it was said, of 30,000, when Mr Bethel said a few words in the Duke of Wellington's behalf, and they dropt dead flat, without exciting one cheer. Mr Brougham noted this, and said, it showed the ministry had no support anywhere, and that he had so found it all over the county. As to the charge brought against Mr Brougham of having been the 'not unreserved' (meaning, evidently, the unreserved) 'panegyrist of the ministry, when 'office and power were, as he thought, within his grasp,'—the report having been universally current both in London and Edinburgh, that the very reverse of this insinuation is the truth,—it will be desirable that the patrons of this pamphleteer should, in their places, meet Mr Brougham with some such statement *face to face;* and then the country, which has so deep an interest in the character of public men, will be enabled to judge whether Mr Brougham sought or rejected all union with the ministers. We trust that some such defiance will be given in the House of Commons, in order that the truth may be accurately known. This, at least, we must say, that if there be any foundation whatever for the reports we allude to, never was audacity carried to the pitch of those who instructed the writer of the pamphlet to fling out the above insinuation.

We have left ourselves a scanty space, only to notice the far less dull, and far more fair tract, avowedly written in answer to ourselves, and to the able pamphlet, called '*The Country without 'a Government.*' It is an attack on the Whigs, rather than a defence of the Ministry. 'Rooted and habitual love of power 'and of place' is laid down as their grand principle of action. Any thing so absurd we can hardly recollect having seen. The having sacrificed all power and place for the last twenty-three years, on account of their principles, is notoriously the only rea-

son, first, why they are not now in office, and, secondly, why they are so much out of favour with the venal and paltry tribe who never can place reliance on any statesman that remains long out of place. Another ground of charge against the Whigs is the conduct of their ancestors, who coalesced with Lord North against Lord Shelburn! Indeed! this is with a vengeance

'Punishing the Pope for Cæsar's crimes.'

Surely, if such passages may be fairly cited against any party in the state, it is but just to allow them the benefit of the passages which would make for them. Then to whom do we owe the glorious Revolution, the crushing of the rebellions in 1715 and 1745, the discomfiture of the French in the seven years' war, and the abolition of the Slave Trade in the last century? But we come down to the present reign and the present day, and ask, to whom do the present Government owe all the measures on which they now rely for support? It is mighty well for the present ministers to enquire what good the Whigs ever did the country—they who have not one measure of their own, but uniformly take their policy, in domestic affairs at least, from the Whigs! The difference between the parties is exactly this: The one have some regard for their principles, and willingly and habitually sacrifice place and power to maintain them. The other profess principles from time to time, but have so 'rooted and habitual' a love of their places, that they just as readily adopt and pursue the opposite principles of their adversaries, and abandon all their own when they must choose between that course and the loss of office.

Much praise is bestowed in this tract on Earl Grey, and deservedly; and his accession to office is represented as highly desirable. Then, the little difficulty recurs, which so sorely gravels both the Duke of Wellington and some three or four pretended friends of Lord Grey—how happens it that he was not invited to join the ministry? One solution is, because he said something in the House of Lords which the Duke, and, of course, his new Foxite friends, did not like. The other is, that it was doubtful how such an offer would be received. Verily these men are inconsistent, because they are insincere. 'The double-minded man,' says the Psalmist, 'is unstable.' He has no sure abiding city. The late King's personal antipathy being no longer of any service by way of an excuse, a new one must needs be found for doing what they had firmly resolved to do—keeping all the power to themselves. Therefore an expression of Lord Grey's was caught hold of. Had he said nothing, he would have been called sulky. Had

he made a tender, he would have degraded himself; and that would have been the grand excuse. In short, the old saying is true,—'Where there is a will there is a way;' and conversely it is as true, That where the will is wanting, way there is none.

But the question no longer is, what excuse have the Duke of Wellington and his satellites for not getting help? That is of mighty little moment to the state. Can he go on without it?—is the only question. Assuredly neither of the writers whose effusions lie before us affects to prove, or even ventures to assert, the affirmative. Nay, it is remarkable enough, that both end their song by one burden, plaintively sounded in the ears of both Tory and Whig. 'Don't unite against us,' says the abler of the two, pretty nearly as his feeble predecessor had done. 'There 'are reasons against that; and you well can join the Cannings. 'The present ministry alone stand in a position to which each 'party can add strength without a sacrifice of character. Tory 'and Whig alike have only to moderate their views, to conform 'to the party in power; they must change them altogether, in 'order to amalgamate with one another.'

The time was when we ourselves were of this mind, and expressed ourselves candidly and frankly to this effect. We fear it is now, from the presumptuous confidence of the Duke of Wellington, and the submissive patience of his coadjutors, past and gone. We see, however, not without hope, that the unexampled weakness of the ministry may, as has heretofore happened, be found of some service to the country. Assuredly it is a clumsy and preposterous scheme of Government, and attended both with much inconvenience and grave peril, to place the men out of office whose measures are to be carried into effect, and look for a wise rule, to men who are driven, against their will, and contrary to their avowed opinions, by their incapacity, to recant their own sentiments. Nevertheless, while the Government of this country is unreformed in its most essential branches, this kind of compromise is not to be despised where better terms cannot be had for the people. Who can say whither the Duke of Wellington's desire to cling by his office may carry him? Of all abuses in church and in state he has been the uniform defender. So was he of the Penal Code. He may take to reforming any or all of them, ecclesiastical or civil, in order to obtain support for another session; and it would little astound us, after what we have seen, to behold him announcing some measure respecting Tithe in the House where sit the Bishops, while Sir Robert Peel reads his recantation respecting Parliamentary Reform and West

India Negro Emancipation, on the spot where he so lately vowed perpetual opposition to both.*

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* The extraordinary step taken by Sir Robert Peel, at the close of the last Session, is without a parallel in the history of rashness and indiscretion. But so it is with a weak government; they must always be trying to gain the favour, in order to have a chance of the support, of some strong party or interest; and, accordingly, Sir Robert Peel thought it a good game to play at the West Indians. He, therefore, not content with opposing a resolution which merely pledged the House to consider West India Slavery next session, avowed himself the uncompromising enemy of emancipation to an extent very far outstripping even Lord Melville (then Mr Dundas's) opposition; for he, the leader of the West India interest, contemplated emancipation, like Mr Pitt, as the end of all the labours of Parliament. Sir Robert Peel cannot even hear of a resolution, merely because that odious word is in it! We trust the anti-slavery meetings everywhere will be quickened in their exertions by this frank avowal of ministerial hostility.

No. CIV. will be Published in December.

Printed by Ballantyne and Company.

THE

EDINBURGH REVIEW.

JANUARY, 1831.

No. CIV.

ART. I.—*Reports from, and Minutes of Evidence taken before, the Select Committees of the Houses of Lords and Commons, on the Affairs of the East India Company.* London: 1830.

WHEN the charter of the East India Company was renewed in 1813, British subjects, in general, were allowed to participate in the trade to Hindostan, and some other parts of the East, from which they had been previously excluded; but they were, at the same time, strictly prohibited from carrying on any sort of intercourse with the Chinese empire. The monopoly of the trade with this vast country, the only one whence supplies of tea can be obtained, was continued to the East India Company; who, by this means, secured, in effect, a monopoly of the trade to Siam, Cochin-China, Tonquin, the Corea, East Tartary, the Japan and Philippine Islands, &c., to the successful prosecution of which a participation in the China trade is indispensable. The countries, the commerce of which is thus either actually or virtually monopolized by the Company, to the exclusion of other British subjects, abound in an endless variety of the most valuable productions, their population amounts to about *a third part of the whole human race*, and they possess an almost incalculable extent of sea-coast. Few, if any, trading associations ever succeeded in getting their countrymen excluded from so vast and so profitable a field for carrying on commercial pursuits. We do not, however, say, that there may not be reasons to justify this exclusion;—to justify granting to the 2,500

partners of the East India Company, and refusing to the other 25 millions of British subjects, a right to trade with the Chinese world. But these reasons, if they really exist, cannot be difficult to discover. They must be clear, convincing, and decisive. '*Commercium*,' says the greatest of English lawyers, '*jure gentium, commune esse debet*, ET NON IN MONOPOLIUM, ET 'PRIVATUM PAULOLORUM QUESTUM CONVERTENDUM.' To justify their monopoly, the Company must not merely show that they have conducted the trade to China on fair and liberal principles, but that it is not one that could be carried on to the same extent, or the same advantage to the public, by other adventurers. If they fail to establish both these points, the policy of throwing the trade open, will be no longer doubtful. It would be the extreme of tyranny to deprive the public of the rights and privileges to which they are naturally entitled, unless it can be satisfactorily demonstrated that very serious injury and inconvenience would result from their exercise.

This, therefore, is really a question of fact and experiment. How have the East India Company conducted the trade to China, and the other countries to the east of Malacca? Have the tea, and other commodities they import, been sold at the same prices they would be sold for were the trade open? Is there any thing in the character or institutions of the Chinese to render it impracticable to carry on the same free intercourse with them that is maintained with every other people? Have the Company prosecuted the trade to the same extent, and with the same advantage, that it would be prosecuted by individuals? We shall endeavour, as briefly as possible, practically to enquire into the answers that ought to be made to these questions.

I. With respect to the question as to the prices charged by the Company for the products they import from China, we may remark, at the outset, that nothing but the most conclusive evidence to the contrary will serve to convince any reasonable person that they are not far higher than they would be were the trade open. All individuals and associations naturally exert themselves to obtain the highest possible price for whatever they have to sell. And it is found that those who are protected from the competition of others, or who have obtained a monopoly of any market, invariably raise the price of their commodities to a very high pitch. Their object has not been to make a moderate profit upon a large adventure, but to make an enormous profit on a small adventure; and they have resorted to every device, even to the burning of a portion of their goods, to ac-

complish this their darling object. Now, as the East India Company have obtained, in virtue of their monopoly of the China trade, the exclusive supply of the British markets with tea, the fair presumption is, that they have raised its price to an unnatural level. In supposing that they have done this, we do not suppose that they are either better or worse than others. We merely suppose that they have acted as all associations have done when placed under nearly similar circumstances; or that they have availed themselves of their privileges to promote their own peculiar interests. So reasonable an inference is not to be defeated, except by direct and unimpeachable evidence.

But, as was to be expected, the Company neither have brought, nor can bring forward any such evidence. Facts and principles are equally against them. Not only is it reasonable to suppose that they have sold their teas, &c. at a much higher price than they would have been sold for had there been no monopoly, but this conclusion is confirmed by the strongest testimony,—by facts which it is quite impossible to controvert, or even question.

The means of deciding as to the use which the Company have made of their monopoly, are accessible to every one. Though they have succeeded in getting their countrymen excluded from the trade to China, they have not, fortunately, been able to extend this exclusion to foreigners. The merchants of Liverpool and Glasgow dare not send a single ship to Canton, or import a single pound of tea; but the merchants of New York and Hamburgh labour under no such prohibition. They engage in the trade to China, as they engage in that to France, Brazil, or any other country, and conduct it on the principle of free and unfettered competition. Here, then, we have an unerring standard by which to try the proceedings of the Company. If they be really as self-denying as their apologists would have us to believe, the prices at which they sell teas will not be higher than those at which they are sold in the great trading cities not subjected to any monopoly; for no one has ever ventured to contend that there either is or can be any reason, other than the difference between a free and a monopoly system, why the price of tea should materially differ in London from its price in Hamburgh, New York, &c.

Accounts of the quantities of the different sorts of tea sold at the East India Company's sales, and the prices at which they were sold, from 1814-15 to 1828-29, have been printed by order of the House of Commons. (Parliamentary Papers, No. 22, Session 1830.) Now, to determine whether the prices charged by the Company be excessive or not, we have only to compare

those given in this account, with the prices of similar teas at Hamburgh, New York, &c., as deduced from the Price Currents published in those cities. But in so far as regards the year 1828-29, we are furnished *officially* with the means of comparing our prices with those of foreigners. In order partly to obviate any cavils that might be made as to the statements in Price Currents, and partly, as will afterwards be seen, for other purposes, letters were sent, in 1829, by direction of the Board of Control, to most of our Consuls at the principal foreign emporia, directing them to purchase and send home samples of the different species of tea in ordinary use in those places, with a note of their prices, &c. These prices were afterwards submitted, by order of the Committee of the House of Lords, to Dr Kelly, the author of the *Cambist*, who converted them into equivalent ones in sterling money per pound weight. Comparing, therefore, the prices and quantities of teas sold by the Company in 1828-29, with the prices of the same descriptions of teas at Hamburgh, the results are as follow:—

Comparative Account of the Prices of Tea at London and Hamburgh.

Species of Tea.	Company's selling price per pound in 1828-29.	Prices at Hamburgh, per pound in 1828-29.	Excess of Company's prices over those of Hamburgh.	Excess of Hamburgh prices over those of the Company.
	s. d.	s. d.	s. d.	s. d.
Bohea	1 6½	0 8½	0 10	—
Congou	2 4	1 2½	1 3½	—
Campoi	2 9	1 2	1 7	—
Souchong	2 10¼	1 1¾	1 8½	—
Pekoe	3 9¼	4 6¾	—	0 9½
Twankay	2 5½	1 2¼	1 3¼	—
Hyson-skin	2 4	0 11¼	1 4¾	—
Hyson	4 1¾	2 8	1 5¾	—
Gunpowder	6 6½	3 5½	3 1	—

Now, it will be observed, that, with the exception of Pekoe, the prices of all the Company's teas exceed the prices of the samples bought at Hamburgh by the Board of Control; and, therefore, to determine the total sum which the tea monopoly costs the people of Britain, we have only to multiply the quantities of the different teas (with the exception of Pekoe) disposed of at the Company's sales by the excess of their prices over those of Hamburgh, and to deduct from this sum the quantity of Pekoe, multiplied by the excess of the Hamburgh price over that of the Company.—The account stands as follows:

Species of Tea.	Quantities of Tea sold by the Company in 1828-29.	Excess of Company's price per pound, over price at Hamburgh. (Neglecting fractions of a penny.)	Excess of price received by the Company.
	lbs.	s. d.	L.
Bohea	3,778,012	0 10	157,417
Congou	20,142,073	1 3	1,258,878
Campoi	284,187	1 7	23,673
Souchong	601,739	1 8	37,607
Twankay	4,101,845	1 3	273,456
Hyson-skin	213,933	1 4	14,261
Hyson	1,014,923	1 5	71,889
Gunpowder	645	3 1	98
			1,837,279
Deduct Pekos, 131,281 lbs. at 9d.			4,923
Total excess of price received by the Company over and above the price of similar teas at Hamburgh,			1,832,356

We may further remark, that Mr Thornely, a very intelligent merchant of Liverpool, has deduced, from a careful calculation of the prime cost of tea in China, and the expense of freight, insurance, &c. the excess of price charged by the Company at L.1,727,934. Mr Rickards's calculations give very nearly the same results.

It appears from this authentic comparison of the accounts rendered by the East India Company, with those furnished by the Board of Control, that the Company sold their teas in 1828-29, for the immense sum of L.1,832,356 more than they would have fetched had the trade been free! From the same official accounts rendered by the Company, it also appears, that the *average* price of the different sorts of tea sold by them in 1828-29, amounted to 2s. 4d. per lib.; and it appears from the statements now laid before the reader, that the average excess of the price of the Company's teas, over the price of the teas sold at Hamburgh, amounts to 1s. 3d. per lib., being an excess of more than FIFTY-THREE per cent. It is clear, therefore, how much soever it may be at variance with their professions, that the Company have not been more scrupulous than others in availing themselves of their power to exact exorbitant prices. Every one knows that the Dutch East India Company have been deservedly held up to the execration of all Europe, because of the violent means to which they had recourse to force up the price of cinnamon, mace, and nutmegs. Although, however, they had raised the price of such articles to a guinea a-pound, the injury thence arising to the Hollanders would have been trifling, compared to the injury done to the Eng-

lish, by adding 53 per cent to the cost of tea. Spices are luxuries. But in this country, at least, tea has long ago ceased to belong to this description of commodities; it has become an almost indispensable necessary of life, and is, at present, far more extensively used by the lower and middle, than by the more opulent classes. Hence, if we estimate the Dutch and English East India monopolies by their *effects*, ours will be found to be decidedly the more objectionable of the two.

But the Company's advocates are not easily driven from any position. We admit, say they, that it would appear, on the face of such accounts as the above, that the Company sell their teas at an enormously enhanced price; but nothing can be more fallacious. The teas sold by the Company are, they allege, incomparably superior in point of *quality* to those to be met with on the Continent or the United States; and this, they add, is the natural result of our mode of managing the trade at Canton, where, we are told, the Company's agents have the choice of all the teas brought to market; the Americans and other foreigners being obliged to content themselves with the damaged samples, with the refuse, in fact, that is thrown aside by the Company. Those who brought forward this statement, imagined, no doubt, that they had made a masterly diversion in favour of the Company, and that by withdrawing the public attention from accounts of sales and the statements in Price Currents, to fix it on an unprofitable and endless discussion about *tastes* and *qualities*, comparatively little opposition would be made to a renewal of the monopoly. But this ingenious scheme has been totally subverted; and, what is yet more galling, it has been subverted by those to whom the Company looked up for support. The Delegates from Manchester, Liverpool, and Glasgow, had nothing to do in the matter. The Board of Control has the merit of having proved, to the conviction of every one, that the teas sold by the Company, instead of being superior, are actually inferior to those sold by the free traders on the Continent and in America.

We have already alluded to the circumstance of the Board having ordered samples of tea to be purchased and sent home from a great variety of foreign markets. When brought home, the Board of Control, desirous, we presume, of doing a service to the Company by demonstrating the truth of their statements as to the superiority of their teas, had the samples submitted to the inspection of the most skilful tea-brokers of London, who were requested to fix the prices which they supposed they would bring at the Company's sales. Nothing, it is clear, could be fairer than this proceeding. The brokers knew nothing of the

prices paid by the Board of Control for the teas, neither did they know whence they came, or for what object they were called upon to decide as to their qualities. They could not, therefore, have any bias one way or another; so that their decision was that of the most unprejudiced, and at the same time the most intelligent, judges that could be selected. The results of the award of this most competent tribunal will be seen in the following comparison :—

Species of Tea.	Prices per pound at the Company's sales in 1828-29.	Prices of samples bought at Hamburgh as fixed by the brokers.
Bohea	1 6½	1 4½
Congou	2 4	2 3¾
Campoi	2 9	2 0¾
Souchong	2 10¼	2 1¾
Pekoe	3 9¼	6 8
Twankay	2 5½	2 8
Hyson-skin	2 4	2 2¼
Hyson	4 1¾	4 3
Gunpowder	6 6½	5 6

It appears from this decisive statement, that the common teas, such as bohea and congou, sold at Hamburgh, are about as good as those sold at the Company's sales; and that most of the finer teas, as pekoe, twankay, hyson, &c. are decidedly better. Let us, therefore, hear no more as to the superior quality of the Company's teas. Those who would vindicate their monopoly must take up other grounds than this. The fact is demonstrated that the Company sell their teas for 53 per cent more than they would be sold for were the trade open; and that the teas for which they exact this monstrous overcharge, are, speaking generally, of a comparatively *inferior quality.*

It is not even true to say that the Company, in raising the price of their teas to so exorbitant a pitch, are merely availing themselves of a privilege conceded to them by the legislature. The fact is, that they have acted, if not in opposition to the letter, at least in the teeth of the spirit, of the acts which secure them their monopoly. The ministers of George II. and George III. were not quite so confiding as those of George IV. In 1745 a great deduction was made from the duty on tea; and to prevent the effect of this deduction being defeated by the Company, an act was passed (18 Geo. II. cap. 26) for the regulation of the tea trade, which declared, that *in the event of the quantity of tea imported by the Company not being sufficient to keep its price* ON AN EQUALITY WITH THE PRICE THEREOF IN THE NEIGHBOUR-

ING CONTINENTAL MARKETS, *it should be lawful for the Lords of the Treasury to grant licences to private merchants to import tea from any port in Europe.* So long as this judicious statute continued in force, it was impossible for the Company materially to abuse their monopoly without the concurrence of the Treasury.

The same well-founded jealousy which had dictated the act of 1745, was again displayed in 1784 in the proceedings with respect to the famous *commutation act.* (24 Geo. III. cap. 38.) It is provided by this statute that there shall be, at least, four sales each year, at which there shall be put up such quantities of tea as shall be judged equal to the demand; that the tea so put up shall be sold to the highest bidder, if an advance of one penny per pound be offered on the putting up price; and that it shall not be lawful for the 'Company to put up their tea for 'sale at any prices which shall upon the whole of the teas so put 'up, exceed the *prime cost* thereof, with the freight and charges of 'importation, together with lawful interest from the time of the 'arrival of such tea in Great Britain, and the common premium 'of insurance, as a compensation for the sea risk incurred there-'on;' and it is further ordered that the Company shall lay before the Lords of the Treasury copies of the accounts, and estimates upon which the orders for importation, prices for sale, and quantities put up to sale, shall be grounded.

The object which led Mr Pitt to insert the clauses in question is obvious. It was to compel the Company to sell their teas for a reasonable profit, and to prevent their monopoly becoming very injurious to the public. The Company, however, had not the slightest difficulty in defeating these precautions;—first, by making various additions to the prime cost, which they ought not to have made, but which the Treasury, had they been so disposed, could not disallow; and second, by nullifying the obligation imposed upon them of selling their teas at one penny advance upon the upset price. A very few remarks will be sufficient to illustrate what has now been stated.

1. The Company have always charged the cost of the factory at Canton to the price of their teas. And such of our readers as are not very conversant with enquiries of this sort, may, perhaps, think that this cannot be a matter of much importance either one way or another. But those who take the trouble of enquiring a little into the matter, will, we apprehend, come to a very different conclusion. The fact is, how extraordinary soever it may appear, that the factory in question costs *nearly as much as is required to defray the entire expense of the civil government of Scotland!* The following extract from Mr Walter Hamilton's East India Gazetteer, a work of the very highest authority, and

patronised by the Company, shows that the statement just made is any thing but exaggerated. 'The establishment of the East 'India Company here [Canton], consists of *twelve* supercar- 'goes, and *eight* writers. The latter have a small annual allow- 'ance and a free table; and they succeed in rotation to the 'situations of the former, who have also a free table, and annu- 'ally divide among themselves, in shares proportioned to their 'seniority, a sum seldom falling short of L.80,000. This arises 'from a per centage on the import and export cargoes, producing 'to the chief, on an average, L.8,600 per annum; and to the first, 'second, and third members of the select committee, above 'L.7,100. The senior supercargo has about L.6,000 per annum, 'and the juniors in proportion, declining on a graduated scale; 'but none of the supercargoes has less than L.1,500 per annum. 'Having, in addition to this, the accommodation of a free house 'and table, they may be considered as *the best paid servants in the* '*world.* The services to be performed for this liberal remune- 'ration consist in a residence for three or four months every 'year at Canton, during the season of intercourse with the 'Hong or general merchants, to whom they deliver the imported 'goods, and receive the teas and other return produce. When 'the business of the season is finished, the ships laden and des- 'patched to England, they retire to Macao, where they remain 'for the rest of the year.' This striking paragraph was published in 1815; and though the value of the Company's imports and exports at Canton has not since been increased, the money payments that now fall to be divided among this lucky *coterie* are larger. In 1826-27 the total expense of the factory amounted to L.105,044; and in 1828-29, it amounted to L.89,086, which would give to each of the twenty gentlemen of which it consists an *average income* of about L.4,500 a-year for doing—next to nothing. At least the American captains do all that our supercargoes do, and do it infinitely better.

That so flagrant an abuse should have been tolerated for so long a period, is indeed astonishing; but it will be far more astonishing should its existence be prolonged. The factory is neither more nor less than a convenient device for enriching the sons, brothers, and near relations of the directors; who, after living for a dozen years in luxurious idleness at Canton and Macao, return with overgrown fortunes wrung from the pockets of the tea-drinkers of England, by whom, and not by the Company, the entire expense of the factory is paid. The circumstances now mentioned, are as notorious as the existence of the Company itself, and might, one should have thought, have saved the Parliament of England the trouble of entering upon a length-

ened enquiry to ascertain whether the Company sell their teas as cheap as they could be sold by private merchants under a free system.

But this is not the only nor even the most objectionable of the modes by which the Company augment the upset price of their tea. Their whole conduct as merchants is a tissue of the most unmeasured extravagance. They were long in the habit of paying L.26, 10s. of freight for such ships as they chartered, while private merchants were not paying more than L.8 or L.10 per ton; and although the Company have latterly reduced their freights, they are still about 100 per cent higher than the current rates.

It would have been well, however, had they confined themselves to proceedings of this sort; but this is what they have not done. The cost of tea and other articles at Canton is estimated by the *tael* or *tale* of silver, which is equal to .5798 lib. troy weight. Now, it was proved before the committee of the House of Commons that, in 1828-29, bills were drawn at Canton upon London, at the rate of 4s. the dollar, equivalent to 5s. 6⅔d. per tale, at which rate, of course, the tale ought to have been reckoned in the Company's account of the cost of tea. But instead of this, they reckoned the tale at 6s. 4½d., being about 10d. more than its real worth at the time; so that all the accounts in which it was referred to were elevated about 14 per cent above their true amount. This fact seems, as well it might, to have made a strong impression on the Committee. The Company's witnesses laboured hard to explain it away; but we take leave to say, that it is inexplicable on any fair principle. It was argued that, taking the whole period of the present charter into account, the tale had, at an average, been valued by the Company more cheaply than it would have been according to the current rates of exchange. But the best mercantile authorities assure us that there is no good foundation for any such statement. And besides, the Company have no authority under the act of 1784, for reducing prices at one time below, and raising them at another above, their real amount. Their duty is to declare the *actual cost of the teas they are about to expose to sale.* Is there an individual who believes that suppositious items are ever introduced into accounts, except in order to render them more favourable to those by whom they are made up?

2. But not satisfied with thus defeating the regulation in the act of 1784, ordering them to put up their teas at prime cost, the Company have equally defeated the provision in the act, by which they are bound to sell their teas if 1d. per lib. of advance be bid upon the upset price. This, indeed, was a very easy task. Were the trade open, private merchants would

endeavour to undersell each other; so that the price of tea, like that of sugar or coffee, would be reduced to the very lowest point that would yield the sellers the customary rate of profit. But the Company is in an entirely different situation. Being the *only sellers*, they invariably *understock* the market. Instead of bringing forward, as they ought to do, were they either satisfied with moderate prices, or paid any respect to the spirit of the act, such quantities of tea as might occasion its sale at a small advance upon the upset price, they narrow the supply so much, that the price is raised to a much higher elevation. Now, it will be observed, that all that this dexterous management puts into the Company's coffers is (or at least ought to be, unless it were swallowed up by extravagant expenditure at home) so much *extra profit;* for the putting up price embraces every item that can fairly enter into the cost of the tea, including both *interest* on capital and insurance, and including also, as we have shown, many items that have nothing to do with it. To show the extent to which this source of profit is cultivated, it is only necessary to mention, that at the June sale in the present year (1830), at the very moment when the Parliamentary Committees were sitting, the Company put up Congou (which forms *two-thirds* of all the teas consumed in the empire) at 1s. 8d. and 2s. 1d. per lib.; the lowest sort, or that put up at 1s. 8d. being sold partly at 2s. 1½d., being an advance of *twenty-two and a half* per cent, and partly at 2s. 5d., being an advance of FORTY-FIVE per cent; while the highest sort, or that put up at 2s. 1d., was sold partly at 2s. 2d., being an advance of *four* per cent, and partly at 3s. 7d., being an advance of no less than SEVENTY-TWO per cent above the upset price, that is, above a price calculated to yield *ordinary profits.* Mr Mills, an intelligent tea broker, in a minute calculation laid before the Lords' Committee, shows that the advance on the teas sold at the Company's last June sale above the putting up price, amounted in all to L.122,177, 18s. 1d.; and as there are four such sales in the year, the total advance may be estimated at about L.500,000! And the Company's advocates admit that this excess is very considerably less than it was three or four years since.

We may remark, by the way, that it was doubtful whether the act of 1784 had repealed the act of 1745, already referred to. Counsel, consulted by the merchants, said that it was still in force; and, in consequence of this opinion, petitions were sent, in 1823, to the Treasury, quoting the prices of tea at Hamburgh and Amsterdam, and praying, according to the provisions of the act of 1745, that licence might be granted them to import teas from the Continent. This proceeding excited great alarm in

Leadenhall Street. The Company contended that the act of 1745 had been superseded; but instead of allowing the question to be decided in a court of law, they contrived, by a system of management that reflects great credit on them, whatever it may do on others, to get a clause quietly inserted into the act, 4th Geo. IV. cap. 80, declaring that none save the Company had authority to import tea into Great Britain.

The preceding statements have completely established, 1st, That the East India Company have raised the price of their teas to so exorbitant a pitch, that they cost the people of Britain L.1,800,000 a-year more than they would do were the trade open. 2d, That the teas so overcharged are in no respect superior in point of quality to those used in the United States and the Continent; and, 3d, That the Company have defeated the regulations in the act of 1784, intended to oblige them to put up their tea at its cost price, and to sell it at a small advance;—the former, by including in its cost several heavy items that ought not to be included, and by improperly increasing others; and the latter by understocking the market, and securing a large advance on the upset price. We doubt whether it be possible to produce an instance of a monopoly that has been more abused.

II. But the more skilful or cunning of the Company's advocates do not pretend that they sell their tea as cheap as it would be sold were the trade open. They take another ground. They affect the utmost candour, and admit that abuses exist in the monopoly, and some of them go so far as to say that they are inseparable from it; but they contend that the existence of the monopoly is indispensable to the existence of the trade; that the Chinese are a peculiar people, whose habits and modes of thinking and acting are quite different from those of other nations; that the East India Company have luckily found out the secret of managing them; but that private traders would infallibly get embroiled; and that were the experiment of opening the trade once made, the inevitable consequence would be, that we should, in a very short time, be driven from the Chinese markets, losing at one and the same time our supplies of tea, and the revenue of about L.3,200,000 derived from it.

Even before the schoolmaster was abroad, such statements would, we apprehend, have been listened to with suspicion. They might do very well in Dahomey or Spain, but they are rather too much for the meridian of London. Has not the experience of the Americans decided this question? Are they not private traders, influenced solely by the love of gain? And

have they ever, during the *forty-six* years that they have traded to China, been seriously embroiled with the natives, or suffered half as many interruptions to their commerce as we have done? The truth is, that the Chinese, though in many respects a peculiar, are *a highly commercial people.* They are the great traders of the Eastern archipelago. Vast numbers of them are settled at Batavia, Singapore, and other commercial emporia, and are all actively engaged in trade, or in some species of useful industry. They are in the Eastern what the Hollanders are, or rather were, in the Western world. Numbers of Chinese ships, or, as they are called, junks, some of them of 800 and 1,000 tons burden, annually sail from the southern ports of the empire, laden with the most precious commodities, to Java, Borneo, Celebes, Singapore, &c. And, notwithstanding the statements so often rung in our ears as to the anti-commercial character of the Chinese, it is a fact, that they have at this moment a far larger amount of tonnage engaged, under a system of free competition in the trade with the Indian archipelago, than the East India Company employ in their trade with China, notwithstanding their possession of the monopoly of the British markets!

Even were the Chinese government hostile to foreign commerce, which they are not, they are without the means of putting a stop to it, or even of subjecting it to any very serious difficulties. Our pedantic James I. was not more hostile to tobacco than the Chinese monarchs are to opium. They have prohibited it in every possible way, and denounced the severest punishments against those attempting to introduce it into the Celestial Empire, as well as those selling or using it there. And yet, in the teeth of these edicts, opium is used in every corner of the country, and public smoking houses are to be met with in every large city. It is carried to China by all descriptions of foreigners except the East India Company, (who, forsooth, are *above smuggling*, though they prepare the opium expressly for the smuggler,) and landed in open day, without the slightest interruption from the custom-house officers. Such is the respect entertained in China for edicts intended to suppress a lucrative branch of commerce. And such being the case with respect to opium, what grounds are there for supposing that the result would be different in the case of tea? The prosperity of extensive districts, and of a very large population, is, to a great extent, dependent on its exportation; and it is sufficiently proved, in the evidence before us, that, if Europeans did not go to Canton to take on board tea, the Chinese would not fail to send it to them at Singapore and Batavia. All the sanguinary

laws by which we formerly attempted to hinder the exportation of wool, were ineffectual to their object; and is it to be believed that the restrictions of an imbecile government like that of China should be better obeyed?

But, as has been already remarked, it is needless to argue a question speculatively that has been decided experimentally. The Americans, Dutch, Danes, &c., trade to China as they trade to any other country, and meet with no interruption or obstacle of any sort. Till this fact can be controverted, there is an end of the question.

It may be as well, perhaps, before going further, to say something of the *Hong*, or *Cohong*, merchants. This body is one of the bugbears held up by the Company to make those unacquainted with the circumstances believe, that there is something in the Chinese institutions to justify their monopoly. The fact is, that the Chinese government continues wedded to those maxims of commercial policy to which Mr Sadler has lent the sanction of his authority. They have not, indeed, attempted to suppress foreign trade, but they have subjected it to certain regulations. Among others, they have established, not in Canton only, but in every port of the empire, a limited number of persons denominated *Hong* or *security* merchants; and every foreign ship must, on her arrival, get one of these merchants to become security for the import and export duties payable on the inward and outward cargoes, and for the conduct of the crew. It may be supposed, perhaps, that difficulties are occasionally experienced before such surety is obtained. But such is not really the case. Not the least hesitation has ever been evinced by a Hong merchant about securing a ship. The Americans, who have had as many as *forty* ships in one year in China, have never met with a refusal. The captain of a merchant ship may resort to any Hong merchant he pleases, and, by way of making him some return for his becoming surety, he generally buys from him L.100 or L.200 worth of goods. Individuals are, however, at perfect liberty to deal with any Hong merchant, whether he has secured their ship or not, or with any *outside merchant*, that is, with any Chinese merchant not belonging to the Hong. So that, though there are only eight or ten Hong merchants at Canton, there is, notwithstanding, quite as extensive a choice of merchants with whom to deal in that city as in Liverpool or New York.

The East India Company are the only foreigners trading to China who never deal except with the Hong merchants. The Company's factory at Canton divide their business among them in shares at their own option; the profit accruing upon

which is very considerable. We need not, therefore, be surprised to learn that the Company have considerable influence with the Hong merchants, and neither need we be surprised to learn the use they have attempted to make of it. The substantially free trade carried on at Canton has been established, not merely without any assistance from them, but in despite of their machinations. The Americans, by dealing for the most part with the outside merchants, had virtually set aside the Hong merchants, and, by so doing, had very much increased the facilities for carrying on an advantageous trade. The pampered servants employed by the Company at Canton, instead of endeavouring to oppose the competition of the Americans by increased activity, deemed it a more congenial course to stimulate the Hong merchants to petition the viceroy to prevent the Americans from dealing with the outside merchants. The Hong merchants are said to have entered with reluctance into this precious scheme. But, be that as it may, the proclamation which the viceroy issued upon the subject, in 1828, was as little regarded as his imperial master's edicts against opium. The trade speedily returned to its old channels. And at this moment, dealings may be as easily, and as openly and avowedly, carried on with the outside merchants as with the Hong merchants.

We shall now lay before our readers a few extracts from the evidence taken by the late committees, in corroboration of the previous statements. We are sure we need make no apology for their length, but have rather to regret that our limits will not allow us to extend them.

The first witness from whose evidence we shall quote is Mr Abel Coffin, the commander of an American ship of about 400 tons burden, in which he had made three voyages to China.

'Do the Americans experience any difficulty in carrying on the Chinese trade?—None that I have known.

'Will you have the goodness to give the Committee an account of the way in which you proceeded in conducting your transactions at Canton?—On the arrival of the ship at Wampo, the factor generally proceeds to Canton; there he calls upon the Hong merchants, or frequently the Hong merchants send their pursers to wait upon him on his arrival.

'Do they send down to the ship?—Not down to the ship, but to his place of business; he will then make an arrangement with one of the Hong merchants to secure his ship; and generally we agree to trade with that Hong merchant, *admitting that he will trade with us on as good terms as we can trade with any other merchant in general:* but we buy one-third or one-half of our cargo of him, and sometimes the whole.

'But do you not give more for teas you purchase of him than you

give to others?—Not in any way; we give him no further advantage than a preference of trade, if we can trade equally well with him.

'Do you give him any fee or douceur to become the security for the ship?—Not any.

'Are there considerable facilities in the port of Canton for transacting business?—*There are more so than in any port I have ever been in in India.*

'Can you give the Committee any instance to prove that facility at the time you arrived there?—I arrived at Wampo on one voyage, when I was both master and supercargo of the ship; and I lay at Wampo fifteen days, and loaded there, and sailed in that time.

'Can you give the Committee an account of any voyage you have performed?—I have here an extract of an American newspaper, giving an account of one of my voyages. It is headed "Dispatch. The ship Liverpool Packet, Captain Coffin, sailed from Boston on the 21st of July 1824, for Canton; arrived there, changed his cargo, and returned to Boston in eight months and twenty-nine days; afterwards sailed for Amsterdam, and performed the voyage there and back to Boston in seventy days, changing cargo: thus having completed two long and important voyages in eleven months and sixteen days."

'Is that an accurate account of the voyage you performed?—It is one day longer than the voyage was. I was eight months and twenty-eight days, instead of twenty-nine days; that is the whole time from the time I left Boston to the time I returned to Boston again.

'Did you load at Amsterdam?—I returned in ballast.

'Have you had any dealings with the outside merchants?—I have; I have generally bought the greater part of my silk goods, and frequently considerable quantities of tea, to complete my cargo, of the outside merchants; generally an outside merchant has some Hong merchant as his friend; goods are obliged to be shipped through one of the Hong merchants. They are bought of the outside merchant; and the probability is, that the outside merchant pays the Hong merchant some trifling compensation for shipping his goods.

'Do you find any difficulty in dealing with the outside merchants?—I never have, myself; but I have heard others say that there is not that security in trading with them. You are more liable to be imposed upon; which is not the case with the Hong merchants.

'When at Canton, did you understand that the Americans received any protection from the East India Company's Factory?—I never understood that they received any protection.

'Supposing that factory were withdrawn, do you think that the situation of the Americans would be worse or better than it is at present?—I think it would be quite as well; I cannot say that it would be worse or better; it would make no difference.

The next evidence is Mr John Aken, the master of a ship trading between India and China.

'Do you consider the charges on shipping at Canton to be high or otherwise?—I think they are very moderate, considering that there is no more paid for a rich cargo than for a vessel arriving in ballast;

it is no matter what cargo you take there, the same duties are paid; if you take a very rich cargo, the duties come to very little indeed.

'The port charges, then, do not vary in proportion to the value of the cargo, but only to the admeasurement of the ship?—That is all.

'Is there or not a facility in transacting business in the port of Canton?—*Great facility.*

'Do you conceive there is as great facility in transacting business in the port of Canton as in any other port with which you are acquainted?—I think more.

'As much as there is in India?—A great deal more.

'Is there as much facility in transacting business in Canton as in ports in England?—YES, AND A GREAT DEAL MORE.

'Why is it that you should say there is more facility?—You have nothing to do but with one man, and when you once get your bargain made, you have no trouble whatever.

'Do you conceive that the Hong merchants are liberal in their dealings, or otherwise?—Very liberal.

'Should you place confidence in their honesty and honour?—I have every reason to believe *they are honest in every respect.*

'Do you find them cautious in making their bargains?—Very cautious.

'Did they adhere to those contracts which they entered into?—Yes; I scarcely ever knew of any person ever suffering by them at all.

'What should you say in that respect with regard to the outside merchants?—The outside merchants are people that you can scarcely ever tell what character they are of, unless you have dealt with them once or twice; if you deal with a stranger, you may be minus, and it often requires caution.

'Supposing you had had dealings with an outside merchant, and found him to be a man of respectability, you would then have no difficulty in dealing with him?—Not the least; *there are many of them that I have dealt with, that I would as soon deal with as any persons.*

'Do you consider the navigation to Canton easy?—Very easy.

'Have you ever had any unpleasant occurrence with your crew when at Canton?—Not any.

'Have you ever purchased any tea at Canton?—I have, both black and green.

'From whom have you purchased it?—Both from the Hong and the outside merchants.

'Have you ever found any difficulty in getting the tea you wanted to purchase?—*Not the least.*

'Is the tea, purchased as you have described, packed and sent on board by the merchant of whom it is purchased?—It is.

'And that merchant is responsible for the quality of the tea so sent?—When I have been purchasing from an outside merchant, I have generally wished to have a chest opened here and there, and he has been always very willing to do so, to examine it.

'Did you ever find any chest of tea inferior in quality to the sample which you have purchased?—*I never did.*

'Do you know whether any custom prevails in China of returning two chests for one when an adulterated chest of tea is given to the purchaser?—I have not heard of that; I have heard that there have been some tricks occasionally, but I believe in a very trifling degree.

'Do you conceive the tea that you purchased at Canton, was as good, in proportion to the description of the tea, as that which you purchased in England?—Equally so.'

The next witness from whose evidence we shall quote, is Mr Charles Hutchison, a commander in the navy, and recently the captain of a merchant ship of 600 tons burden, employed in the trade from Bombay to Canton.

'As you were three times at Canton engaged in those transactions of commerce, what should you say, from your opportunities of observing the character and habits of the people of China, as to their disposition with respect to intercourse with other countries, and carrying on trade generally?—They have a very great avidity to trade with every body they are permitted to trade with. *The merchants of China are extremely eager to trade with every one that comes into the country; more so than any people I have ever seen.*

'Do you mean to say that they are a speculative, trading, enterprising people?—Very much so; *beyond any others I have seen.*

'As they are disposed to favour trade, and to be speculative and enterprising in it, are they disposed to be accommodating, and to afford facilities in their intercourse?—I think the people themselves are in every possible way. The government takes every opportunity of extorting duties; but those duties are not changed; and so long as you carry on the trade in the regular way appointed by them, there is no sort of difficulty. Liverpool, which is one of the most expeditious ports for commerce in England, *is not to be compared with Canton for its facility.* In half an hour you may conclude a sale of a whole cargo of a ship, and the purchase of another, and you have no further trouble with it; with the Hong merchants particularly; the more creditable ones among them, are very honest in their dealings.

'You say that the government take every opportunity of extorting duties. Had you ever an opportunity of observing whether other governments are slack in levying duties on trade?—Perhaps I was a little incorrect in the expression I used. *While you adhere to the regulations they have made, you have no fear of extortion;* but if you do any thing at all illegal, you are subject to very great extortion; and this extortion their own merchants are liable to if they commit any irregularity. They frequently make the Hong merchants pay fines for no real cause, but some pretended ones.

'Had you any dealings with the Hong merchants?—Yes, I had, but not to any great extent.

'Are there other merchants, exclusive of the Hong, with whom you can deal extensively?—A great many, and some have very extensive dealings; indeed many of them much larger than many of the Hong merchants, who are, in fact, nothing but a name.

'So that you might have sold or bought a cargo without having

recourse to the Hong merchants beyond what was necessary for securing the ship?—Precisely so; it is frequently done.

'Were there many American ships at Canton at any period when you were there?—Yes; many come there every year.

'Had you any intercourse with the captains, or the supercargoes, of those ships?—I saw them frequently.

'Did you ever hear of any complaint of any want of facility in carrying on the trade in China?—No; *I never heard any one complain of any want of facility in carrying on the trade*, as long as they adhere to the regulations of the country.

'Had you any opportunity of observing instances in which the Americans had to dispose of British manufactured goods in China?—There were two ships arrived one season when I was there, I understood, entirely loaded with British manufactures. I did not see the actual disposal of them, but it was well known that they did dispose of them. They were, I believe, not of a very good description, and, consequently, they did not sell so advantageously as those of a better description would have done. I had some in my ship at the same time, which sold at a good profit; they had been bought in India at a profit, and they were sold again in China at a profit. These were British cotton manufactured goods, chiefly long cloths and cambrics. I have taken woollen cloths likewise.'

We shall now quote some passages from the important evidence of Mr Joshua Bates:—After being connected for several years with the principal American houses in the China trade, Mr Bates has more recently engaged as an active partner in the great commercial house of Baring, Brothers, and Co., who are very extensively employed as agents for Americans in the same trade. No one, therefore, could be better informed with respect to China affairs, or more capable of giving an accurate opinion upon them. Mr Bates says, that he considers that the American exports of tea from Canton, amount to more than a third of the exports made by the Company. He agrees with the previously quoted witnesses in considering Canton as a port where business may be conducted with great facility and expedition, being, in his estimation, decidedly superior in both these respects to London. He then gives the following conclusive evidence as to the mode in which the Company manage the tea trade:—

'Have you ever made any calculation as to the cost to the British public of the teas now bought by the Company, and sold here, over and above that which they would pay if bought on private account?—I should say, *the teas cost the country about* A MILLION AND A HALF *more than they would if bought on private account.*

'Do you mean to say that the India Company derive a profit of a million and a half beyond what you consider would be a fair mercantile profit?—*Beyond a fair mercantile profit.*

'What would you consider to be a fair mercantile profit upon an

article like tea, considering the distance it has to be brought, and the length of time that a person must lie out of his capital?—I should suppose twenty-five per cent would be a fair mercantile profit on the Canton cost on the finer teas; perhaps the very coarse teas would bear rather more.

'Do you mean including freight and insurance?—After paying freight and insurance.

'Is that without taking into calculation any profit upon the outward cargo?—Without that. I mean to say, that on teas brought here, or brought to any market on the continent, twenty-five per cent would be a remunerating profit.

'What should you consider the fair profit, as profit upon the use of the capital employed in such a trade?—Very small. It is *a very regular, certain trade*, and I should suppose that five per cent, beyond simple interest of the money, would be a fair profit.

'In calculating this million and a half, which you suppose the India Company to make beyond what you would consider a fair profit, do you take into consideration the expensive mode in which they conduct their operations—or do you mean to say only, that the tea costs the consumer a million and a half more than it ought to do, and yet afford a mercantile return to the free trader?—I cannot enter into the question as to the expense by their mode of getting teas here; *I only know what, in the course of the operations with which I am acquainted, the tea would cost me to deliver here. I think I could venture to contract to deliver it for* ONE-THIRD LESS THAN THE COMPANY'S SALE PRICES IN LONDON.'

The advocates of the Company have declaimed loudly against what they have called, with a clearness and strength of expression peculiar to themselves, 'The wretched farrago of ignorance, 'falsehood, and vituperation, which has hitherto marked the 'progress of this question;' and have said, that it was now high time that 'the opinions of those who have *some knowledge* of the 'subject, should be listened to.' We agree with them, that the opinions of such persons are entitled to the greatest deference. And we therefore beg particularly to direct the attention of our readers to the above extract from Mr Bates's evidence. Here we have a gentleman thoroughly versed in every department of the China trade, who has been far more largely engaged in it than almost any other individual, and who is a leading partner in the first commercial house in the world, declaring his conviction that he might venture to contract to supply the British public with teas for *one-third less* than they are supplied for by the Company. This evidence is perfectly decisive. The Company and their advocates know that it cannot be shaken; and every man of sense must be satisfied that it completely disposes of that part of the question to which it refers.

We shall quote a few passages from the evidence of Mr John

Deans, a very intelligent merchant, who resided *twenty* years in the Eastern archipelago.

'From your intercourse, during so many years, with the Chinese, can you state to the Committee, whether they are indifferent to foreign trade, or attach any importance to its advantages?—The Chinese of the Archipelago, who, I believe, do not differ from the Chinese in their native country, are very sensible of the importance of commerce, and are, as I have already observed, the keenest speculators perhaps in the country.

'Are you aware, whether the foreign commerce of China becomes a source of revenue to the Chinese government, and a matter of interest to the Chinese authorities?—The foreign commerce of China is very extensive; it exceeds, I believe, considerably 12,000,000 sterling; and, of course, although not altogether a legal commerce, still, from the greater part of it being so, the Chinese government derive a revenue, and a very considerable one, as I understand, from it.

'Have you reason to know in what light the European imports into China are considered by the Chinese people, or whether they could easily be dispensed with by them?—I know that *the imports to China are of far more importance to that empire than perhaps the teas to this country*, great as it is considered, inasmuch as the opium, which is now a very extensive article of import into China, is generally used there; and when once a person has been accustomed to the use of it, it cannot easily be dispensed with without danger to his health, and perhaps his life.

'Do you state that from your experience of the habits and customs of the Chinese people at Batavia and in the Archipelago?—I do. I had a great deal to do in the opium trade at Java, and of course saw a great deal of the use it was put to; and, from my own observations of its effects, I can state, that those who have been long in the habit of using it, could not have dispensed with the use of it without serious injury to their health.

'Are you aware whether the use of opium is increasing?—It has increased very rapidly indeed in China. I saw a statement of the imports into China down to the beginning of 1829, which stated it to amount to nearly two millions of pounds weight, considerably exceeding two millions and a half sterling in value.

'Are the other articles imported into China articles of which the inhabitants could not be deprived without a considerable degree of inconvenience?—We may very easily judge of some of them. We ourselves could not well dispense with the spices, which are used in China as generally as in any other country. Some of them are articles of luxury, such as birds'-nests, which are imported to a very considerable amount into China; also tripang and sinews of different animals are, of course, not perhaps indispensable, but as much so as the tea is to us from habit, among the grandees of the country; and the betel-nut, which is used very extensively in China, is also an article indispensable to the lower orders in particular.

'From your experience of Java, and your knowledge of the increased

consumption that took place in that island by the opening of the trade, what do you consider would be the effect of opening the trade to China itself, so far as relates to the consumption of European produce and manufacture?—The enterprise of British subjects in Java was very much aided indeed by the activity of the Chinese in conforming our manufactures to the tastes and habits of the people, and from the very rapid extension of the use of those manufactures, almost entirely superseding the native manufactures. I have not the least doubt but the same change would take place in China, making allowances of course for the difficulties that are attendant upon having only one legal port.

'At the time of the occupation of Java in 1811, in what manufactured articles were the inhabitants, Chinese and natives, clothed?—The natives were clothed in manufactures of their own partly, and partly in the manufactures of British India; the Chinese principally in Chinese manufactures.

'How long did this state of things continue?—It began to change at the opening of the trade in 1814; and in 1828, when I left Java, the natives were almost exclusively clothed in British manufactures, and the Chinese very generally; still, of course, they used some Chinese manufactures, which we have not yet been able to imitate successfully.'

The next and only additional witness from whose evidence we shall at present make any extracts, is Captain John Mackie, who commanded a ship of 200 tons, engaged in the opium trade on the coast of China. This gentleman's evidence is peculiarly worthy of attention, from his having frequented ports and districts of the country that are seldom visited by Europeans, and never by the Company's ships. It will be seen, from what he states, that it is a radical mistake to suppose that no commerce can be carried on with the Chinese except through the port of Canton. Captain Mackie traded everywhere along the coast, which abounds in the most excellent harbours; he and his crew were, in all cases, most hospitably received by the natives, who were everywhere desirous of entering into commercial adventures, and of furnishing themselves with European goods.

Captain Mackie's ship was the property of Spaniards, and carried Spanish colours, but the cargo belonged entirely to British merchants.

'Can you state any other ports in China that you touched at besides Amoy?—Not any other principal ports; I touched at all the ports between Amoy and Canton.

'You lay off some ports, did not you?—I lay off the port called the Cape of Good Hope and the island of Namo.

'At what distance is the Cape of Good Hope from Canton?—About 300 miles to the north-east.

'Did you find good shelter for your ship?—Excellent; all those harbours are as safe as the port of Canton itself.

'Was the trade you carried on authorized by the laws of China?—I understood it was not authorized, but it was done quite openly.

'In the same way that the opium trade is carried on at Canton?—The very same.

'Have you ever experienced any difficulty in carrying on the trade, although not formally sanctioned by the Chinese laws?—Never the least.

'Who were the parties with whom your trade was carried on?—The Chinese merchants.

'Resident at any particular points?—Some of them from the city of Amoy, some from Ta-ho and Namo, and some from inland towns.

'Are any of those places in the province of Fokien?—Amoy is in the province of Fokien. I am not aware whether Namo is in the province of Fokien or not.

'Have you got better prices for those articles than could be got at Canton?—Yes.

'What was the difference of the price?—About 100 dollars upon a chest of opium, or 125, and sometimes 150, and sometimes higher.

'What did you receive for your cargo?—Sycee silver and dollars entirely.

'Why did you make your returns in bullion only?—I was particularly desired by the agents of the brig to take nothing else.

'Could you have had returns in the produce of the country?—I could have had returns in the produce of the provinces, such as sugar, tea, cassia, tortoise-shell, nankeens, or any thing that could be had.

'You would have had no difficulty in completing your cargo of those articles?—Not the least.

'In what manner is the produce of the north-eastern provinces sent to Canton?—I presume it is principally sent by sea, from the number of large junks always upon the coast.

'Have you seen any teas sent by sea?—Yes; I have been on board of two junks entirely loaded with tea.

'What was the size of them?—They could not have been less than 200 tons.

'From whence did they come?—They came from Amoy, and they were bound to Canton.

'Did you board those junks?—I boarded both of them, and sent letters by them to Canton.

'Were those letters regularly received?—They were received in due course.

'Do you think you could have loaded your vessel with teas of good quality?—*I have no doubt I could of the very best quality. I have no doubt I could have had any sort of Chinese produce that I wished.*

'Had you any conversation with the captains or supercargoes of the junks?—Yes; one of them, a merchant, gave me an invitation to wait upon him at his house at Canton.

'Do you think you could have disposed of any other article besides

those you sold at the places you visited?—Yes; I think woollens might have been disposed of, and perhaps a small quantity of iron, a few watches, and different kinds of things.

'What species of woollens do you think you could have disposed of?—Principally long-ells and fine broadcloths; blankets and camlets also would have sold very well; they are in ready demand all along the coast of China.

'Were there any duties paid to the government upon those cargoes?—I never paid any duties; but I understood, that upon all opium that is taken away from the ships, the inferior officers of government get about twenty dollars for every chest; the Chinese pay that themselves; the ships pay nothing.

'Did you ever pay any port charges of any kind?—Never.

'Were you ever annoyed by the Chinese authorities?—No; I have been requested, as a favour, to shift my situation, as the principal officer was coming; and I have gone away, and come back again in one or two days.

'Have you ever landed when you were engaged in this trade?—Frequently; almost every day.

'Whenever you liked?—To any place I liked.

'Were you, on such occasions, ever annoyed or ill treated by the authorities, or by the people?—Never; *quite the contrary; I was always received in a civil way. I had invitations into their houses, and was treated with tea and sweetmeats.*

'How far have you penetrated into the interior of the country?—Six or seven miles.

'Could you have gone farther if you had pleased?—Any distance I pleased.

'What cities or towns have you visited on such occasions?—I visited the city of Kesiak, and the city of Amoy. The city of Tyho was too far distant from the ship, and I did not visit it.

'Is Kesiak a large town?—It is.

'What is the population of it?—It is impossible to tell the population; I think it is nearly as populous as Canton.

'Is there a harbour at Kesiak?—A fine harbour.

'Was that a commercial town?—It is a commercial town for junks only.

'Do you know what province it is in?—The province of Canton.

'What distance from Canton is it?—About 150 miles.

'Is there much foreign trade carried on in Kesiak?—I am not aware that there is any. There is a very large coasting trade.

'Are you of opinion that the Chinese, in the places you visited, are anxious for the extension of commerce?—I should conceive that they were, because *I have always found the Chinese inclined to buy any thing that was at all useful, of any description.*

'You conceive them to be any thing but an anti-commercial people?—I should consider them to be quite otherwise.

'Do you conceive that they have any antipathy to strangers?—I

should conceive quite otherwise. *In the northern provinces especially, I was most politely received, and my people were equally the same.*

'What did your crew consist of?—Of all sorts—English, natives of India, and natives of the Philippines.

'What number of Englishmen had you?—I had sometimes from ten to twenty.

'What was the number of your crew?—Forty.

'Did those Englishmen land?—Yes, frequently.

'They had intercourse with the natives?—Yes.

'Did you ever hear of any disturbance between them and the natives?—*Never the least disturbance.*

'Were the crews generally well received by the natives?—Equally as well as I was myself; they were allowed to walk about the fields, and to go into the houses.

'Did you find the coast of China generally in a state of good military defence?—I should say quite the contrary; because the greatest number of troops that ever I have seen was in the train of mandarins, to the amount of about 500.

'How were those armed?—They were dressed in red calico jackets, with a large bamboo hat on, and with large wooden shoes, some with bows and arrows, and some with matchlocks, and some with spears.

'Supposing you had a sergeant's party of English troops, what would have been the effect upon the Chinese soldiers?—They would have run away.

'Did you ever go into their forts?—Frequently.

'In what state were they?—In a state of dilapidation.

'What was the state of the guns?—The guns were all dangerous to fire, being honey-combed; and being laid between two pieces of wood, they could only be fired in a straight direction.

'Were the fortifications in a pretty good state?—No, quite ruinous; there were about forty or fifty men in each of the fortifications.

'Would there be a demand for English blankets?—I should conceive there would be a demand for English blankets.

'Are they now generally purchased by those that can afford them?—By every one that can afford them.

'What description of native woollen manufacture is there?—The only native woollen manufacture I saw is in imitation of cashmere shawls.—I think it is manufactured of goat's hair; it is a fine sort of white flannel.

'Is it of a high price?—It is not within the reach of the poor people at all.

'What is the common dress of the poor people?—Blue cottons.

'Do you know where those cottons are manufactured?—In China.

'Do you know in what part?—They are manufactured in all the provinces. I have seen them manufactured in every village I have gone into.

'Did you ever observe what sort of machinery they had for the manufacture of those cottons?—A very rude loom, quite in a very old fashion.

'Did you ever compare the price of cotton so manufactured in China with the price of English cotton?—No, I never did; *it is much dearer than English cotton*, because English cottons sell in China at very fair prices, and they dye English long cloths afterwards as a substitute for their cottons, and they are much cheaper.

'Do the natives prefer their own, being dearer?—Their own cottons wear better; but a cheap article is always a great object with the Chinese, even if it should not wear so well.

'Supposing there was a great trade carried on between England and China, do you not imagine that the cheap manufacture of England would, to a considerable extent, supplant the dear manufacture of China?—*I have no doubt it would entirely.*

'You were understood to say, that you did not find it necessary to establish any stricter regulations with respect to intercourse with the shore than at other places?—Not any; *I allowed my crew to go on shore at any time they pleased.*

'Have you ever known any inconvenience from it?—Not any.

'Have you known any to happen with any other ship?—Not any.

'Was it the general practice of the ships?—It was; there was never the least disturbance.'

Our readers, we feel assured, will agree with us in thinking, that the above extracts are completely conclusive as to this second branch of our enquiry. They prove beyond all controversy, that whatever peculiarities may attach to the Chinese, an antipathy to commerce or to strangers is not one of them. On the contrary, it is fully established that they are a highly commercial people, that business may be conducted with them with the greatest facility and security; so much so, indeed, that valuable cargoes may be disposed of, and large ships unloaded and loaded in the port of Canton, in less time, and with far less expense, than in either London or Liverpool. It is also shown, that the apprehensions, if such were really felt by any one, of disturbances arising in consequence of a want of discipline in the crews of private ships, are altogether futile and visionary; and that, in point of fact, the private traders have never experienced the slightest inconvenience from any tumults between their sailors and the natives. It has been farther shown, that an advantageous trade may be safely carried on with the ports of China to the north of Canton; that we may buy tea at first hand in the provinces where it is raised; and that extensive markets for our cottons, woollens, &c., may be opened all along the lengthened shores of the 'celestial empire.' All, therefore, that the Company and its advocates have said about their monopoly being necessary, because of the peculiar nature of the Chinese character and institutions, falls to the ground. It has been proved to be destitute even of the shadow of a foundation. As well might it

be said that the trade to New York should be subjected to a monopoly, because the Americans have neither an established church nor a king. Every nation has its distinguishing features; but the notion, so generally entertained, that the Chinese were peculiarly characterised by a contempt of commerce and of strangers, is as utterly unfounded as any delusion can possibly be.

III. We come now to the third head of this enquiry, or to the investigation whether the Company have carried on the trade to the same extent that it would have been carried had it been open to private individuals to engage in.

It can hardly be necessary that we should enter into any very lengthened discussions under this head. Every one must be satisfied, on general grounds, that the Company have not carried the trade to any thing like the extent to which it would have been carried but for the monopoly. 'The spirit of monopolists,' to borrow the just and expressive language of Gibbon, 'is narrow, lazy, and oppressive. Their work is more costly and less 'productive than that of independent artists; and the new 'improvements so eagerly grasped by the competition of freedom, 'are admitted with slow and sullen reluctance, in those proud 'corporations, above the fear of a rival, and below the confession 'of an error.' Even though the directors of a great association like the East India Company, were disposed to extend its commerce, and to manage it according to the most approved principles, they are wholly without the means of giving effect to their wishes. They must operate through servants; and is it to be imagined that the *employés* of such a body,—that the 'gentlemen,' for example, of the factory at Canton, with their L.8,000 and L.10,000 a-year, and free table, will ever display that watchful attention to the Company's interests, or conduct the business intrusted to their care, with the same unsparing economy that will be practised by private merchants trading on their own account, superintending their own concerns, and responsible in their own private fortunes for every error they may commit? The affairs of the Company, whatever have been their efforts to the contrary, have always been managed, and must necessarily continue to be managed, according to a system of routine. Their captains, and mercantile agents, are, we doubt not, 'all honourable men;' but it were an insult to common sense to suppose that they may be for a moment compared with individuals trading on their own account, in the great requisites of zeal, conduct, and skill.

These general considerations will, in the estimation of every

reasonable person, be deemed sufficient to dispose of this part of the question. But the facts to which we may appeal are not less conclusive.

In one respect, the East India Company have displayed extraordinary address in managing their affairs. They have contrived to make it be generally believed that they carried on a very extensive trade, and that their operations could not be disturbed without considerable hazard to the manufacturing interest. How they succeeded in procuring currency for such a notion, we know not; but, assuredly, none was ever more unfounded. The commerce carried on by the East India Company, exclusive of the importation of tea, is utterly insignificant. The entire value of *all* the commodities exported by them from the United Kingdom, besides military stores, does not exceed the miserable pittance of L.750,000. And the fact is, that all the commodities they export to all the vast countries to the east of Malacca, hardly exceed those that are annually sent by a few petty merchants to the islands of Jersey and Guernsey. That such is the case, will be seen from the subjoined *official* document:—

Value of Exports by the East India Company from Great Britain to China.—(See Parl. Paper, No. 412, Sess. 1828.)

Species of Goods.	Years ending 5th January,				
	1824.	1825.	1826.	1827.	1828.
	£	£	£	£	£
Cotton Manufactures,	6,092		167	11,995	20,752
Iron in bars, (British,)	13,482	15,502	17,214	36,067	24,350
Lead and Shot,	8,793	22,433	39,221	41,918	32,154
Skins and Furs,		33,516	31,151		
Woollens, -	674,585	532,221	652,047	756,968	413,422
All other articles,	5,095	8,467	5,058	5,082	3,137
Total value of Exports by the East India Company to China,	£708,047	612,139	744,856	852,030	493,815

Though so trifling a trade were entirely annihilated, the loss would not be sensible at the end of six months. And even this stunted and petty trade is admitted not to have been profitable. Whatever the Company have made by their trade, (if they have

really made any thing,) has been derived from their monopoly of the supply of tea. Mr St George Tucker, one of the directors, has admitted this fact in the most explicit manner:—'*The exports to India and China never*,' says he, '*produced a* '*profit generally, or for a continuance.* The trade was resorted 'to, and persevered in, upon a variety of mixed considerations, 'partly to supply a remittance to the East, where, until lately, we 'required funds for the purchase of return cargoes; partly to 'supply the Chinese and our Indian subjects with articles 'which they could not obtain through other channels, while the 'exclusive trade was vested in the Company; partly to occupy 'tonnage which would otherwise have been unproductive; but 'chiefly to benefit the manufacturing and other interests of this 'country, by introducing and circulating our fabrics, and the 'produce of our lands, throughout the wide regions of Asia, 'which were accessible to our enterprise.'—(Tucker's *Financial State of the East India Company*, p. 191.)

Giving the Company credit for their efforts to circulate our fabrics through what are truly called the 'wide regions of 'Asia,' we must say that they strikingly exemplify the fable, *Montes parturiunt*, &c. China, not to mention the other countries to the east of Malacca, contains 150,000,000 of inhabitants; it abounds in products fit for the European markets, and the people, as has been already seen, are most anxious to obtain ours in exchange. It is upwards of a century and a half since the Company began to trade with this 'wide region;' during that lengthened period they have been allowed to conduct that trade in their own way, having been protected by their monopoly against the competition of their countrymen; and at the end of this long probation, they have succeeded in annually disposing (at a *loss*, be it observed) of L.20,000 worth of cottons, and L.413,000 worth of woollens! Can any more conclusive proof be desired of the deadening influence of monopoly?—of its tendency to narrow and choke up, what would otherwise be the broadest and deepest channels of commercial intercourse? We have not the slightest doubt—and our opinion coincides with that of the most experienced merchants—that had the trade with China been free during the last fifty years, our exports to it only would have amounted, at this moment, to L.8,000,000, or L.10,000,000 a-year.

While the Company's export of woollens, trifling as it has always been, has been recently falling off, that of the Americans has been rapidly increasing. Formerly the Americans used to export little except bullion; but at present their ships come to London and Liverpool, and take on board manufactured

goods, which they carry to China. Now, the fact that such a trade is carried on, shows, that though in the hands of monopolists, the export of manufactured goods to China is productive only of loss, it is advantageous when conducted by individuals. It is true, that some of those who have at different times engaged in the trade from the United States to China have failed; but such contingencies attach to all businesses, and are as numerous in the trade between this country and the United States as in any other, though it has not yet been affirmed that it is disadvantageous. The failures in question took place chiefly amongst those who engaged in the trade without sufficient capital and experience, and attempted suddenly to force it beyond due bounds. Those who prosecuted it on sounder principles are very wealthy. The largest fortunes in the United States have been made in the China trade. Mr Cushing, an American merchant, lately of Canton, has recently retired from business with, it is said, a fortune of L.500,000, and there are many others that have been hardly less successful.

It is material too to bear in mind, that while the free China trade has been thus productive of wealth to the American merchants engaged in it, it has been in the highest degree beneficial to the Union. The American public have been abundantly supplied with tea—that is, with an important necessary of life—for little more than a third of what it has cost the people of England, exclusive of the duty. Had the China trade of England been conducted in a similar way, it would, besides affording an advantageous market for eight or ten millions' worth of produce, have enriched vast numbers of our merchants, shipowners, &c., and saved two millions a-year to the public in the cost of tea.

But were the monopoly set aside, besides the vast empire of China, the resources of the extensive and populous, though imperfectly explored, countries of Cochin-China, Tonquin, and Siam, the empire of Japan, and the archipelago of the Philippines, would be made available for mercantile purposes. The commerce between the Eastern and the Western worlds is yet only in its infancy. From the era of Vasco de Gama to the present day, the intercourse between Europe and India and China has been subjected to the most oppressive fetters. A department of commerce so extensive, had it been properly cultivated, as to have afforded full scope for the mercantile resources of every nation, but requiring great perseverance, skill, and enterprise in its establishment, has been made over to a handful of monopolists, who have wasted all the energies of which they were capable in warlike undertakings. So much is this the case, that of the

thousands of admirable harbours to the eastward of Malacca, Canton and Manilla are almost the only ones that have ever been visited by English merchant-ships. We have, in fact, voluntarily shut ourselves out of the most extensive markets, or, which is the same thing, we have delivered them over to those who do not resort to them as merchants, but as monopolists, to get cargoes of tea, which they afterwards sell to us upon their own terms, and at an exorbitant advance. This conduct has not been more injurious to ourselves, than to the nations it has so long deprived of the advantages derivable from a free intercourse with Europe. It is impossible to conjecture the improvement that might have been accomplished, not in the arts only, but in the sciences, moral feelings, and habits, of the Indo-Chinese nations, had there been nothing to hinder our communication with them during the last sixty or seventy years. Commerce is the grand engine by which the blessings of science and civilisation are universally diffused. While it enriches, it also instructs and stimulates the industry and invention of those who carry it on. That the immeasurable superiority of the people of Europe in knowledge of all sorts, should hitherto have had so little influence upon their Asiatic brethren, is entirely owing to the jealous systems of commercial policy that have obtained amongst us. Had European adventurers been allowed to resort freely to the different countries of the East, and been permitted to trade freely with their mother countries, the foundations of improvement would have long since been laid in nations that are still comparatively barbarous. We trust, however, that a new era is at hand, and that European arts and sciences will no longer be excluded from some of the finest and most extensive countries in the world, that the sickly existence of a decrepit and worn-out monopoly may be prolonged for a few years. The Parliament of Great Britain have it now in their power to open new and boundless markets for the products of our artizans, and they are called upon to assist in forwarding the civilisation of the Eastern world. The positive evils inflicted by the monopoly are neither few nor small; but they are really inconsiderable, compared with the good which it prevents. It checks the spirit of improvement, paralyses industry, and upholds ignorance and barbarism in vast countries. Its abolition will redound to the advantage of every man in England, the 'gentlemen' of the factory only excepted; but though it were otherwise, justice to many millions of our fellow-men, less happily situated than ourselves, requires that we should subvert the barrier which has proved so formidable an obstacle to their advancement.

It may be thought, perhaps, that, in so far at least as respects

the Japanese, their jealousy of strangers will always form an insuperable obstacle to any considerable traffic with them. There is, however, good reason to think that this jealousy has been very much exaggerated. The exclusion of Europeans from Japan, into which they were at one time freely admitted, was a consequence of the proselytising efforts of the missionaries, and of the cabals that the Portuguese excited against the government. Were their coasts once visited by really free traders, anxious only to carry on a friendly and mutually beneficial intercourse, without having any ulterior objects in view, we have little doubt that the supposed aversion of the Japanese to strangers would be found to be quite imaginary. There are some circumstances mentioned by Mr Deans, to whose valuable evidence we have already referred, which go far to confirm what has now been stated. After informing the committee that the Dutch continue to send two vessels annually, of any size they please, to Japan, Mr Deans was asked, 'Does any other European 'nation trade at all with them?—I am not aware that any Euro-'pean nation trades with them. I saw a captain of a ship from 'Bengal, who got upon that coast, and the boats came off to him 'in great numbers, and *purchased every kind of article they had* '*of British manufacture;* they had very little unfortunately, but 'they sold all that they had in barter for provisions, which they 'were out of. The officers of the government also came on 'board, and ordered him off, but at the same time asked him if 'he had any cloth such as his coat was made of, or any articles 'of that kind, for they were anxious to purchase them. He said 'he had not, and when he came back they told him *to be sure to* '*bring articles of that kind,* but on no account was he to come 'back.' This is quite of a piece with the conduct of the Chinese mandarins, who denounce punishments against the smuggling of opium, at the same time that they give every possible facility to the smuggler. Mr Deans was then asked, 'Do you know the 'number of the Chinese junks that trade to Japan?—I cannot 'be sure of the extent, but I believe it is considerable.—Is it 'the general impression in the Eastern archipelago, that pro-'vided a change were to take place in the mode of transacting 'business with Japan, a very considerable trade might be carried 'on with that empire?—It would be an illicit trade; but our 'enterprising countrymen generally manage to conduct a trade 'with every part of the world they can get to.—Should you 'not expect that if free traders were admitted to China, they 'would find the means of carrying on trade with the empire of 'Japan?—I have no doubt they would; but *if they did not, the* '*Chinese would find the means of conveying to Japan such articles as*

'*they found would suit them, whether of Chinese or European* '*manufacture.*' (Report, p. 242.)

In another place, Mr Deans gives the following testimony as to the injury arising to the English merchants and ship-owners from the exclusion of British ships from the Chinese seas:—'During your residence at Batavia, have you had any evidence 'of disadvantages to which British ships have been subject in 'consequence of their exclusion from the ports of China?—I 'have had many. I have often myself, in shipping goods to 'China, been obliged either to get freight on foreign vessels, or 'to hire Dutch colonial vessels to proceed to the Straits of 'Sunda, to meet the Company's ships, for the purpose of either 'disposing of the produce I had for the China market, or of 'sending it on freight to China.—Has the state of the law put 'you under the necessity of shipping consignments of produce 'in foreign vessels?—I have shipped in foreign vessels for 'China, *because I could not avail myself of the unemployed British* '*tonnage which were lying in the harbour, and which would gladly* '*have gone to China.*' (Report, p. 236.)

There is no obstacle, except what arises from the Company's privilege, to the carrying on of an extensive intercourse with the Philippine islands. The natives are very well disposed towards strangers, particularly British; and the Spaniards and Chinese, settled at Manilla and other places, gladly avail themselves of any means by which they may obtain an advantageous market for the products they have to dispose of.

The extensive countries surrounding the gulf of Siam, and the whole coasts of Cochin-China and Tonquin, are furnished with excellent harbours, some of which are situated at the mouths of navigable rivers, that penetrate far into the interior, affording every facility for the most extensive commerce. It should also be recollected, that though these countries have ceased for a very long period to be frequented by Europeans, a pretty extensive intercourse was, at one time, carried on with them. Both English and French were established in considerable numbers, towards the close of the seventeenth century, in Siam; and it was owing to their own misconduct,—to their grasping at peculiar privileges and immunities, and not to any hostility to strangers on the part of the natives,—that they were expelled. The truth is, that, until the Americans appeared in the Eastern seas, the foreign adventurers by whom they were visited, had but little of the genuine mercantile character. The agents of the Dutch and English East India Companies were never satisfied with the ordinary mercantile profits that might have been made by industrious individuals, but were always

engaged in schemes to obtain some preference or exclusive advantage, or to subjugate the country. The spirit of monopoly tainted all their proceedings; and the great military and naval power of the Companies rendered them domineering as well as rapacious.* Instead of attempting to rise to wealth by the exercise of laborious industry, they commonly resorted to a more compendious process, and endeavoured to effect their object by stratagem or force. The history of European commerce in the East is really nothing but the history of a *continued series of usurpations;* nor can any one acquainted with the circumstances feel surprised that such native princes as had the means, excluded those from their territories whose object was not to maintain a fair and friendly commerce, but to extort oppressive privileges, or to make conquests.

But monopoly has had its day. It is not in the nature of things, that a system, productive of such baneful results, can be continued. And, when the innumerable ports and markets of Asia are opened to the free competition of British merchants, every thing will take a new face. Countries will then be explored that have hardly yet been visited; new channels will be opened for the profitable employment of capital, and the successful prosecution of industry; and commerce, relieved from the poisonous influence of monopoly, will become what it has never hitherto been in India, the most copious source of wealth, as well as the most powerful instrument of civilisation.

These statements are not merely consistent with probability; they are, as has already been seen, confirmed by the direct testimony of the highest mercantile authorities. It is to no purpose, therefore, that the advocates of monopoly tell us, that the Company has pushed the trade to its farthest limits, and that, in all the immense range of thickly-peopled provinces stretching along the shores of the Chinese empire and its subsidiary states, it is impossible to find a vent for more than the L.500,000 worth of British goods sent to Canton by the Company! Such ludicrously absurd assertions are unworthy of one moment's attention. They are of a piece with those that were made in 1813, previous to the opening of the trade to Hindostan. At a general court held at the East India House on the 26th January, 1813, it was

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* It has been the same at all times. When Dampier visited the factory newly established by the Company at Bencoolen, he found two Rajas in the stocks because they had not brought down to the fort the quantity of pepper the governor had sent for!—*Dampier's Voyages,* vol. ii. p. 183.

resolved, that it was not possible to extend the export of British goods to India, that the Company actually suffered a loss in carrying on this department of their trade, that the markets were already glutted with goods imported from India, and that the opening of the trade would be no other than a 'ruinous 'transfer' of it into new channels, attended with 'the beggary 'of many thousands of industrious individuals.' Such were the statements solemnly put forth by the East India Company in 1813, and, with the exception of that which refers to the loss sustained by the Company, every one of them has been proved to be entirely unfounded. In 1814, the last year of the exclusive trade to India, and the period when the Company proclaimed that the exports to it had attained their maximum, they amounted to L.870,177; but, so far from this being the fact, in 1819, four years after the trade had been opened, the exports amounted to L.3,052,741, and in 1828, they amounted to L4,701,784! Can any one doubt that similar results would follow from opening the trade to China? The very idea of referring to the experience of the East India Company, upon such a subject, involves an absurdity; its experience might be worth something were it proposed to establish a new company with similar privileges; but it is utterly worthless as a means of estimating the efforts, or the success, of free traders, with whom monopoly has nothing in common.

It appears, therefore, whether we consider the Company's monopoly as respects the price at which they have supplied the British markets with tea, the difficulties supposed to attach to the carrying on of a commercial intercourse with China and the contiguous nations, or the extent to which the trade with them has been, and may be, carried, that it is alike indefensible. We are not, indeed, aware of a single argument entitled to a moment's consideration that can be urged in its behalf. It has every fault that a monopoly can have. It entails a heavy direct burden on the people of Britain; and it is incalculably injurious to them and to the Eastern world, by preventing the growth of the vast commerce that would otherwise be carried on between them. The enquiries into which the Parliamentary Committees have entered, were not necessary to satisfy any one who had attended to the subject, of the advantages that would result from the abolition of the monopoly. But we are, notwithstanding, glad that they have been gone into. Every assertion put forward by the Company, has been disproved. All their fables about the difficulty of carrying on an intercourse with so 'peculiar' a race as the Chinese, have vanished like 'the 'baseless fabric of a vision.' And it appears that the only real

difficulty in the way of the most extensive intercourse with the Chinese and the neighbouring nations, is their own oppressive privileges. To suppose, under such circumstances, that the charter should be renewed, would be to suppose that the Company had power to prevail on the legislature to act in defiance of common sense, of all principle, and of its most sacred duties, not to the people of Britain only, but to the Eastern world.

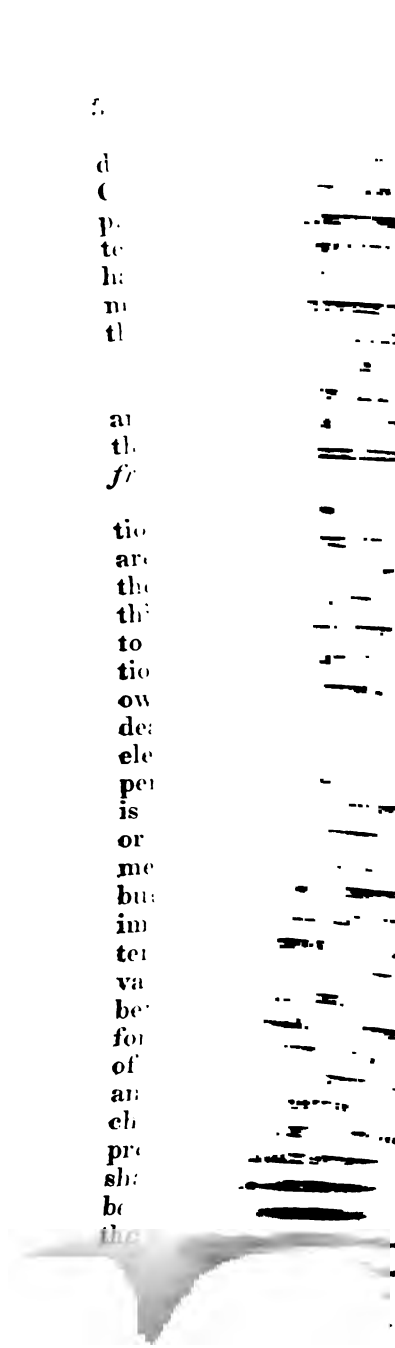
But it is not enough that the trade to China be thrown open, and every vestige of the existing monopoly abolished; it is farther necessary that the Company should be *absolutely interdicted from having any thing whatever to do with commercial affairs.*

Perhaps it might be enough, in vindication of such a regulation, to observe, that the duties of sovereigns, and of merchants, are quite incompatible. If the Company choose to relinquish their territorial rights and privileges, and cease to have any thing to do with the government of India, we should be the first to hail their coming into the field of free commercial competition. But we object to their being allowed to combine in their own persons the separate and irreconcilable functions of tea-dealers and rulers of a mighty empire. Let them make their election; let them choose whether they will be grocers or emperors; but do not let them attempt both. The counting-house is not a school in which to breed statesmen; nor is the treasury or the camp, a school in which to breed merchants. We do not mean to underrate the talents and acquirements of the directors; but were they ten times greater than they really are, it is quite impossible that they should be able to fathom all sorts of mysteries—to occupy themselves, at one period, in legislating for a vast empire, in directing the march of armies, and arbitrating between contending states; and that, having done this, they should forthwith doff the character of the monarch, to assume that of his oilman, and sit in judgment upon the rate of exchange, and the quality and price of saltpetre. To be a good grocer or cheesemonger, a man must be nothing else. If the Company prefer these useful functions to those of a loftier character, we shall not blame them for the choice. But we protest against their being allowed to carry a sword in the one hand, and a ledger in the other,—to act at once as sovereigns and tea-dealers.

It is not, however, solely from the obvious impossibility of their being able to discharge such opposite duties, without neglecting the one or the other, or both, that we are impressed with a conviction of the absolute necessity of forbidding the East India Company from having any concern with commercial affairs. Till this be done, the commerce between Europe and the East, and between

different places in the East, will always be upon an insecure foundation. The mercantile agents of the East India Company are not influenced by the same motives that influence private merchants. Their object is not so much to buy an article at the lowest price, as to get it, *coute qui coute.* They know that the revenues of India are pledged to make good their contracts, and the higher the price paid by them, the higher will be their commission. It is idle to suppose that there can be any thing like fair competition in markets occasionally frequented by such persons. It is their interference, and that only, that renders the trade to India so very hazardous. Whenever it is known that they are in the market as purchasers, the commodity in demand, whether it be indigo, cotton, silk, pepper, or saltpetre, immediately rises ten, twenty, or thirty per cent, so that all the combinations and calculations of the private traders are in a moment overset. In illustration of this, we may mention, that a few years ago, the Company having sent out large orders for the purchase of Bengal indigo, the local government, aware how prices would rise when it was known the Company were in the market, employed Mr Palmer (late Palmer and Co.) secretly to purchase for them; but Mr Palmer's purchases very soon exceeding what were known to be his own private wants, it was first suspected, and afterwards ascertained, that he was buying for the Company, when prices immediately rose from 190 to 230 or 240 rupees per maund. The correspondents of the private merchants who had received orders to purchase indigo, were, of course, compelled to pay the same enhanced price. No sooner, however, had the indigo got to England, than the price fell back to its natural level, most of it being sold at a very heavy loss.

The only argument put forward by the Company in defence of their Indian trade is, that otherwise they would not be able to realize the surplus revenue of India in England. But if we may believe their own accounts, such surplus revenue has rarely existed, and could not, therefore, be very difficult to realize. Although, however, it had been ten times greater than it really has been, the Company might have got it paid over to them in Leadenhall Street without the slightest inconvenience, supposing they had had nothing to do with trade. What is to prevent them from buying bills upon London? This is what a private individual in Calcutta would do who wished to make a remittance to England; and if the Company do the same, they may remit a million with less trouble than they now remit L.10,000. It is well known to every mercantile man in London, that they are at this moment selling indigo that cost them a rupee, or 2s. in India, for 1s. 2d.,—incurring a loss upon the remittance of no



and a most extensive trade would be carried on between these countries were it not for the difficulties under which the private traders are placed of getting returns. The Company will not allow them to fetch away a single pound of tea, except the little that is required for Hindostan; so that they have little other means of getting payment except by smuggling silver out of Canton at some risk and certain loss, or by paying the proceeds of the cargo into the Company's treasury at Canton, and getting bills, mostly at an unfavourable rate of exchange, on the Company's governments in India. It is seldom that bills can be obtained on England, and then only for a limited amount. Such a mode of carrying on trade is, in some respects, advantageous to the Company, but it is in the last degree injurious both to India and England. The ships that get licences to carry cargoes to China are, for the most part, obliged to return to India in ballast. The whole expense of the voyage is thus made to fall on the outward cargo; and the trade is in this way confined to less certainly than a twentieth part of what it would be were it thrown open, and all individuals allowed either to carry to, or bring from Canton, such commodities as they pleased.

We have already noticed the circumstances under which cotton is obtained in India for the China market. Opium is the other great article of export; and our readers will not be surprised when we tell them that its production and sale are engrossed by the Company. In fact, this monopoly within a monopoly, not long since netted the Company nearly L.900,000 a-year; nor will this appear surprising to those who are aware that, only about nine years ago, that very opium for which the Company allowed the growers 3s. or 3s. 4d. per lb., was sold by them for 60s.! In consequence, however, of the recent introduction of large quantities of Malwa and Turkey opium into the market, its price has been greatly reduced, though it is still three or four times more than it would be were it allowed to be freely produced.

It is, therefore, indispensable, if we would not trample upon all the best rights of the people of Britain and the East, and voluntarily oppose both the increase of wealth and the progress of civilisation, that the Company's monopoly should be utterly destroyed. But this abolition will not be enough. It is further indispensable, that the Company should be prohibited, so long, at least, as they have any thing to do with the government of India, from engaging directly or indirectly in any sort of commercial adventure. Unless this be done, the commerce with India and the East will never rest on a secure foundation; nor will the government of India be properly conducted. Those who are engaged in details about the prices of cotton and indigo cannot

attend to the weightier matters with which they are intrusted. Let them, if they prefer it, give up the latter; but do not let them attempt to be Hamlet and Harlequin—sovereigns and hucksters, at the same moment.

If the Company take an enlightened view of their own interests, they will be the last to object to the measures now proposed. Notwithstanding their monopoly costs the people of Britain L.1,800,000 a-year, it is exceedingly doubtful whether the Company gain any thing by it, after paying the dividend of L.630,000. The mass of accounts laid by them before Parliament are in such a state of confusion, discordant items are so jumbled together, and estimates are so mixed up with real payments, that it is impossible for the most expert accountants to tell what is the real state of their affairs. The Company's own servants seem to know quite as little of the matter as others. They have not produced a single document drawn out on fair mercantile principles, or such as any merchant would think of exhibiting. Mr Rickards, who was examined at great length by both Lords and Commons' committees, and who, from his long experience in Indian affairs, is well qualified to form a correct opinion upon such a subject, contends that, as far as any thing can be learned from the defective accounts produced by the Company, *their trade has uniformly been attended with a heavy loss;* and that, had it not been for the aid derived from the revenues of India, they would long since have been completely bankrupt. We have very little doubt that Mr Rickards's will turn out to be the correct view of the matter; at all events, however, it is abundantly clear, taking the Company's statements as they stand, that their commercial surplus is absolutely nugatory. They state that it amounted, during the last *fifteen* years, to L.15,414,414, including *interest and insurance*, being at the rate of about a million a-year. But they also state, that their *commercial assets*, or capital embarked in trade, amounts to L.22,787,034, and that their commercial debts, both foreign and at home, amount to only L.2,484,078: taking then the balance of 20 millions, and supposing it to be invested at 4 per cent, it would yield a nett revenue of L.800,000; but the Company owe a large amount of territorial debt, for which they pay 5 per cent, and supposing the commercial assets were applied to pay it off, they would produce to the Company L.1,000,000 a-year. It is, therefore, as clear as the sun at noonday, taking the Company's accounts as they have presented them, that *the trade which they carry on does not yield them a single shilling beyond the dividend.* They tell us, that they derive from it a surplus million a-year; but, in the same breath, they tell us that

they have twenty millions employed in it. It is therefore obvious, that if they give up the trade, and employ their commercial assets either in extinguishing their own debt, or in loans to others, they will yield them as large a surplus as they affirm they derive from the trade. In so far, too, as the interests of the proprietors of India Stock are concerned, this measure would be for their advantage. The *maximum* dividend they are entitled to receive is fixed by law at 10½ per cent, or L.630,000 a-year; but it may fall to any extent. They, therefore, have no interest in carrying on trade, but the reverse. It may lessen their dividends, and it cannot, under any circumstances, augment them; whereas, according to the plan now suggested, they would be *secure of receiving the greatest dividend without any risk of its reduction.*

We should be making a heavier demand than we have ever done upon the patience of our readers, were we to enter upon any examination of the statements of those who contend, that, without the *surplus* derived from the China trade, the government of India could not be carried on. As well might it be said, that the government of Great Britain could not be carried on without the revenue of Shetland. Supposing the Company's accounts to be quite correct, and supposing that they are debarred from trading, and that their commercial assets are invested as above stated, the entire defalcation in the funds at their disposal would not exceed L.600,000 a-year. But the revenue of India amounts to from *twenty-four* to *twenty-five* millions; and to imagine that it could not be made to defray the expenditure, were it diminished about *one-fiftieth part*, is something too ridiculous to deserve notice. If the Company will but enforce a little of that economy which is now the order of the day, they will procure for themselves a ten times larger surplus than they even pretend to derive from their trade.

We submit, that this statement is decisive of this part of the question, admitting the Company's accounts to be accurate. But in truth and reality they are most inaccurate. The trifling surplus which they exhibit has no real existence. It is not more substantial than one of Mr Sadler's harangues. The Company's monopoly imposes a direct tax of nearly *two millions* a-year on the people of Britain; it cripples and depresses our commerce by shutting us out of the best markets, at the same time that it inflicts incalculable injury on the Eastern world. And in return for all this it produces to the *Company*—absolutely nothing! The invaluable privileges enjoyed by them—privileges which, had they been enjoyed by private individuals, would have produced a profit of 100 per cent—have been swallowed up in

the abuses inseparable from monopoly. Nothing so monstrous was ever heard of as the proposal to continue such a system. If the Company are wise, they will voluntarily withdraw at once and for ever from their trading concerns, relinquishing the monopolies they have so long enjoyed, so much to the injury of others, and so little to their own advantage.

ART. II.—1. *Specimens of the Russian Poets.* Translated by JOHN BOWRING, LL.D. 2 vols. 12mo. London: 1821-3.

2. *Batavian Anthology, or Specimens of the Dutch Poets.* By JOHN BOWRING, LL.D. 12mo. London: 1824.

3. *Ancient Poetry and Romances of Spain.* Selected and Translated by JOHN BOWRING, LL.D. and H. S. VAN DYK. 8vo. London: 1824.

4. *Specimens of the Polish Poets.* By JOHN BOWRING, LL.D. 12mo. London: 1827.

5. *Servian Popular Poetry.* Translated by JOHN BOWRING, LL.D. 12mo. London: 1827.

6. *Poetry of the Magyars.* By JOHN BOWRING, LL.D. 8vo. London: 1830.

THE translator is to poetry what the adventurous merchant is to commerce. He circulates the produce of thought, varies our intellectual banquets, teaches us that some accession to our stores may be derived even from those quarters which we had regarded as the most sterile and unpromising, and thus adds another link to the chain of social and kindly feelings which should bind man to his fellows. In this commerce of mind few have laboured more assiduously than Dr Bowring. At one time 'he hath an argosy bound for Tripoli, another for the Indies, 'a third for Mexico, a fourth for England'—ventures, in short, 'enough to bear a royal merchant down'—and yet, with the exception of one cargo under Dutch colours, where he appears to have had a partner, he seems to trust entirely to his own taste and research in the selection of his commodities. His varied and almost Mithridatic acquaintance with the languages of modern Europe, extending even to their less classical or almost forgotten dialects, and that liberal spirit in literature, which so extensive a field of enquiry is sure to produce, seemed peculiarly to mark him out as one fitted to transfer to his country those strains which had conferred celebrity on their authors in *their* own; or which, though their origin and authorship are lost in

the darkness of antiquity, had long cheered the peasant in his sledge amidst the frozen snow, or been associated with the jollity of the harvest and the vintage, or the more tranquil mirth of the cottage fire.

It is true, it may be said that no very accurate idea of the poetry of a foreign nation, separated from ourselves by seas and continents, and still farther separated in mind by diversity of habits and feelings, can be gained by the labours of any one translator; and the observation is well-founded to a certain extent. The edifice he seeks to illuminate is no doubt too vast to be fully enlightened by a solitary torch; but at least it is probable that in moving with him along its vast halls and long arches, the light he carries will strike occasionally on objects of splendour or value; that our eyes will catch dim glimpses of treasures in its inner recesses—sudden openings into far-off gardens, the trees of which, like those which dazzled Aladdin in the cave, seem bright with the tints of the diamond, the ruby, and the emerald; and that the result of this hasty glance may be a desire to return and to investigate for ourselves, and with more leisure and minuteness, the scenes of which we have caught these dim but pleasing outlines. He who transfers a single strain of true and natural poetry, however simple, however brief, from another language to ours, performs no mean service to literature, and, it may be, to the interests of civilisation in general. He has thrown, as it were, the first plank over the gulf which separated two nations,—has taught them that they have feelings, 'eyes, organs, 'dimensions, affections, passions,' in common,—has awakened a spirit of literary enterprise, and pointed out, if he cannot guide us through, the promised land. Other adventurers will soon throng after him; a broader bridge will be thrown over the channel that divided them; an exchange of feelings and associations may take place; the old may impart to the new some portion of the polish which long civilisation has produced; while it receives in return a new infusion of the freshness, rapidity, and wild vigour which characterise an infant literature, thus bartering its Persian ornaments of gold and silver to receive repayment in a Spartan coinage of iron.

The interest of Dr Bowring's earliest work—his *Specimens of the Russian Poets*—was in a great measure that arising from surprise; from discovering that, in the country which, until the days of Peter the Great, had never made its voice heard among the dynasties of Europe, there had grown up, almost with the suddenness of an exhalation, a poetical literature betraying no marks of its barbaric origin; possessing, in fact, the very qualities which are most commonly found associated with a long-esta-

blished literature,—light, graceful, equable, rather than startling, either by its beauties or its faults; moral, didactic, tender, or satirical, rather than narrative, martial, or mystical: in short, so little hyperborean in its general aspect, that but for some occasional traits of nationality which give it a certain distinctive and original character, we had great difficulty in believing that any thing so trim and so polished could have been imported from the rough shores of the Don and the Wolga. Perhaps, however, there was but little room for surprise when the peculiar circumstances of Russia were adverted to. Called into existence as a European power, by the genius of one man, she had to borrow every thing from civilized Europe—arts, arms, philosophy, learning—and it was but natural she should borrow her poetry with the rest. Being, as it were, at the time almost in a state of poetical nudity, it was far more easy for her to step into the ready-made, though somewhat faded, habiliments which France, England, and Germany, politely pressed upon her acceptance, than to construct a national costume for herself out of the coarse and scanty materials which had constituted her wardrobe in former and ruder centuries; and so, slipping his person unceremoniously into English pantaloons, and a French *robe de chambre*, the Russian poet went sideling up the walks of Parnassus with a meershaum in his mouth, Young's *Night Thoughts* in his hand, and Voltaire in his pocket, all unconscious that the Monmouth Street air of his habiliments was visible to every myrmidon that guarded that quarter of Apollo's domain.

Let us not, however, be unjust to the high merit of some of the specimens of Russian poetry, to which we were introduced by Dr Bowring. We cannot certainly sympathize with him to the full extent of his admiration, for it is an infallible effect of translation, that the translator acquires an undue attachment to the authors on whom he has exercised his powers; and as in general we are apt to estimate the merit of our own works according to the labour which we have bestowed upon them, it may frequently happen that pieces of inferior merit may be rated higher than the works of greater poets in the scale of the translator; simply because it has required a greater exertion of his own skill and ingenuity to bring them into shape, and to present them in an attractive dress to an English reader. We cannot, therefore, but regret, that Russia, in borrowing from other countries, did not labour to impart to the materials she imported, a stronger air of nationality—to efface more completely the former die from the coin, and to stamp on it her own image and superscription; and that more use was not made on the whole of her national traditions and historical annals: but we admit,

at the same time, that many causes have existed, and do exist, in Russia, calculated to narrow the field on which originality can be displayed, and to contract the sphere of feeling and thought; and we willingly do justice to the merits of such men as Derzhaven, Lomonosov, and Zhuskovsky. The ballad of 'Cathe-'rine,' in particular, by the latter, wild and spectral like Bürger's 'Lenore,' but national in all its pictures and allusions, scarcely loses by a comparison with its Teutonic prototype; and some of the national songs which close the second volume, brief, artless, tender, and picturesque, seem deserving of the high eulogiums bestowed upon them by the translator. 'They are no subjects 'for criticism,' observes Dr Bowring; 'for criticism cannot reach 'them—it cannot abstract one voice from the chorus, nor per-'suade the village youths and maidens that the measure is false, 'or the music is discordant.' 'The rude melody, often gentle and 'plaintive, in which they find utterance, still vibrates in my ear. 'I ask for them no admiration—they are the delight of millions.'

A different object from that which he had in view in his Russian selections was to be effected by the *Batavian Anthology* of Dr Bowring—not to introduce to our notice a nation, in the infancy of literature and civilisation, making her first timid essay in the paths of poetry; but one long celebrated in learning, science, philosophy, and arms, where hard-won liberty had early made her cradle and home, and still dwelt, though in a more splendid mansion, and amidst the modern luxuries and refinements spread around her by an abundant commerce. It was to dispel the prejudices supposed to exist among ourselves as to the poetry of Holland, and to satisfy the critic by experiment that the country of William I., of Grotius, Erasmus, and Rembrandt, could not be without its poets, as well as its painters, philosophers, and statesmen. This attempt, however, we cannot help thinking, was less successful than its predecessor; not through any fault on the part of Dr Bowring, (for its execution was, on the whole, more skilful,) but that, in truth, the opinion which had been formed of the poets of Holland, though exaggerated, was in the main correct;—that although occasional magnificence and constant purity of taste characterise the choruses of Vendel; though Cats be nervous, simple, and sententious; though Decker, Brederode, and Westerbain are often touching and natural—a great number of the specimens exhibited by him rather sunk beneath than rose above mediocrity; and that, consequently, the general aspect of the Dutch Parnassus, even as placed by him in its best point of view, too much resembled that of their own gardens—all very smooth and pleasing, and irreproachable in point of neatness, with here and there, too, some stately and

umbrageous trees, but seldom varying from a dead level, and with a temperature, on the whole, rising but little above freezing. Dr Bowring will perhaps think we do injustice to his favourites, and we are willing to hope that his supplementary volume may exhibit the beauties of Batavia in a more favourable light. Meantime, we willingly acknowledge the skill with which many of his own translations are executed. The following stanzas from one of Brederode's songs will remind the reader of the manner of Herrick:—

'Should they display unbounded sway
O'er all these kingly regions,
And give to me dominion free
O'er lands and mighty legions;
My heart the gift would treasure,
To rule them all at pleasure.
Not for riches, not for land,
Not for station nor command,
Not for sceptres, crowns, or power,
Not for all the world's worth;
But that I on thee might shower
Every gift from heaven and earth.

'I would decree that all should be
Observant to revere thee,
With bended knee, submissively,
Though princes, kings, stood near thee.
Courts should their glories lend thee,
And empresses attend thee,
And queens upon thy steps should wait,
And pay their tribute to thy state,
In low and humble duty;
And place thee on a royal seat,
Deck'd, as becomes thy beauty,
With splendour and adornment meet.

'An ivory throne should be thine own,
With ornaments the rarest,
A cloth of red thy floor o'erspread
To kiss thy footsteps, fairest!
And sweetest flowers be wreathing,
And round thee fondly breathing;
And by thy influence I would prove
How I esteem thy virtues, love!
How thy truth and goodness sway'd me,
More than all my store of gold,
More than thousands that obey'd me,
More than the giant world could hold.

'But these, I know, thou canst forego,
For pride has never found thee;
And I possess more wealthiness
Than all the courtiers round me.
If riches *they* inherit,
I have them too—in spirit;
And thou dost know as well as I
That truer greatness deigns to lie
'Neath a garment worn and tatter'd,
Than e'er adorn'd a narrow mind,
And that treasures oft are scatter'd
To the basest of our kind.'

From the amphibious world of Holland—

'The slow canal, the yellow-blossom'd vale,
The willow-tufted bank, and gliding sail'—

Dr Bowring turned suddenly to a more striking region of song—to the deep valleys and sunburnt sierras, the vineyards, the Moorish palaces, and Gothic ruins of Spain; to the romantic chronicles of her ancient kings, so rich in eventful changes and picturesque details; to the magic names of the Cid, of Bernardo del Carpio, and of that train of heroes who hold an equivocal position on the debateable land between truth and fiction; to Granada, with its Alhambra, Albayein, and Generalife, its Zegris and Abencerrages, its chivalry, its learning, and its splendour; to those heroic ballads, where the light and graceful Arabesque wreathes itself, like a vine, round the massive solidity of the Gothic fabric which it decorates; and to that vast collection of national songs, nameless themselves, and touching the imagination and the heart with a nameless but powerful spell. His object now was neither to awaken our interest for an infant literature, nor to disabuse us of prejudices against an old one; but rather to justify to ourselves the prepossessions of which we were conscious towards the literature of the Peninsula. He wished to afford evidence that there was a reality in the dreams which we connected with these shores of old romance, and to make us acquainted with that peculiar anonymous ballad literature, the glory of Spain, which, more than even her laboured productions, evinces the diffusion of a high tone of poetical feeling among her inhabitants, and much of which had fortunately been rescued from oblivion, and collected so early as 1510. In this field, no doubt, the translator could not, as in the case of his Russian and Batavian anthologies, boast of having led the way. He had been preceded by Mr Lockhart, who had translated, with great vigour, and with a fine vein of chivalrous feeling, many of the best of the historical romances. But Dr Bowring's

work, from its variety, and, in particular, from the numerous, and sometimes extremely happy, translations it contained of those little fragments and snatches of song, which had been, in a great measure, overlooked by his predecessor, must be regarded as a valuable supplement to the *Ancient Spanish Ballads.*

Scarcely has this peninsular pageant of chivalry passed by, when the scene is changed to the banks of the Seva and the Danube—to Servia and Hungary. The poetical literature of Servia seems even more singular than that of Spain itself. Much of the Spanish poetry was traditional, till collected in the *Cancionero* and *Romancero General;* but that of Servia is entirely so. Bequeathed from mouth to mouth, without the aid of manuscripts or printing, the same songs that celebrated the exploits of Marco, or lamented the fatal battle of Kosova, (the Servian Xeres de la Frontera,) which delivered over the country to the tyranny of Amurath, are still, with slender variations, the popular poetry of the country. Simple and unpretending, they scarcely appear to the natives deserving of the name of poetry—a title which they seem to think can only be claimed by longer and more ambitious effusions. Goethe, who has devoted considerable attention to the poetry of Servia, observes, that when some Servians, who had visited Vienna, were requested to write down the songs they had sung, they expressed the greatest surprise that such simple poetry and music as theirs should possess any interest for intelligent and cultivated minds. They apprehended, they said, that the artless compositions of their country would be the subject of scorn or ridicule to those whose poetry was so polished and sublime.

Simple, however, and unadorned as it is, we have no hesitation in saying, that it appears to us the most interesting and original to which Dr Bowring has yet directed his attention. The language of Servia, a derivative from the old Church Slavonic, modified by the vicinity of Greece and Italy, seems early to have been softened down into a perfect instrument for poetry and music. From the Turks, too, their ancient foes, and latterly their conquerors, the Servians borrowed many additions to their vocabulary, while even the hostile relations subsisting between the two countries tended strongly to impress upon its literature an Oriental character. In this, in fact, it resembled, to a certain extent, that of Spain, though the intercourse between the two countries was of a far less intimate and kindly nature, and the Turks, with whom they maintained the struggle, a very different race from the polished Moors of Granada. Enough remained to impart an Oriental colouring to many of its pictures, and to vary and extend the field of its allusions.

Till within these few years, when a large mass of the national songs and ballads of Servia was collected by Vuck, and committed to paper, either from early recollections, or from the repetition of Servian minstrels, no part of these national compositions had been given to the public. The part which has thus been collected and published, we are informed, forms but a very small portion of the stores which still exist unrecorded among the peasantry. The historical ballads are written in lines of five trochaics, and are always sung to the accompaniment of a simple three-stringed instrument called the guzla, as the Spanish ballads generally were to that of the guitar. At the end of every verse, the singer drops his voice, and mutters a short cadence. The emphatic passages are chanted in a louder tone. 'I cannot 'describe,' says Wessely, who has translated, with great fidelity, a selection of their nuptial songs into German, 'the pathos 'with which these songs are sometimes sung. I have witnessed 'crowds surrounding an old blind singer, and every cheek was 'wet with tears.' Often, like the Arabian story-tellers, they stop in their ballads at the most interesting point, till they have appealed to the generosity of their audience; wisely thinking that they have quite as much to expect from their curiosity as their compassion. The ballads which form their stock in trade, possess some features which distinguish them from those of other countries. They are more condensed and straightforward than the Spanish, telling their story with more rapidity of movement, and less of ornament; while they are almost free of those unmeaning repetitions and lines inserted for the mere purpose of eking out the rhyme, which deform so many of the most pathetic of our own ballads. In one respect, however, they assimilate but too closely with our own: in those savage atrocities, and sometimes almost meaningless cruelties, which they recount with a calm apathy; and in instances of treachery, which reflect no great credit on 'the goodly usance 'of those antique times.' The influence of a very peculiar mythology breathes over them all; in which the most remarkable agent is a spirit called the Vila—a beautiful but terrible being, of vast powers, which she employs capriciously or malevolently—who haunts the mountains, caves, and forests, and utters her mandates and denunciations from their recesses. Their most celebrated hero is Marco, a Scythian likeness of the Grecian Hercules; a name, like Conrade's, 'linked with 'one virtue and a thousand crimes;' for he murders in cold blood the Moorish maiden who had been his deliverer, for no better reason than that he was frightened at her ebon visage and ivory

teeth. This savage warrior, who is represented as endowed with supernatural strength, rides a steed (Sharaz) a century and a half old, and dies himself at the age of three hundred, apparently of nothing at all. These extravagant conceptions, however, afford no fair specimen of the Servian ballads. A better instance of their narrative powers, as exerted upon a supernatural groundwork, will be found in the ballad entitled

JELITZA AND HER BROTHERS.

'Nine fair sons possess'd a happy mother,
And the tenth, the loveliest and the latest,
Was Jelitza, a beloved daughter.
They had grown together up to manhood,
Till the sons were ripe for bridal altars,
And the maid was ready for betrothing.
Many a lover ask'd the maid in marriage,
First, a Ban; a chieftain was the other;
And the third a neighbour from the village.
So her mother for the neighbour pleaded;
For the far-off dwelling Ban, her brothers.
Thus they urged it to their lovely sister:—
"Go, we pray thee, our beloved sister,
With the Ban, across the distant waters.
Go, thy brothers oft will hasten to thee;
Every month of every year, will seek thee.
Every week of every month, will seek thee."
So the maiden listened to her brothers,
With the Ban she cross'd the distant waters.
But behold, O! melancholy marvel!
God sent down the plague, and all the brothers,
All the nine were swept away, and lonely
Stood their miserable sonless mother.

'Three long years had past away unheeded;
Often had Jelitza sigh'd in silence,
"Heaven of mercy, 'tis indeed a marvel.
Have I turn'd against them, that my brothers,
Spite of all their vows, come never near me?"
Then did her step-sisters scorn and jeer her:
"Castaway, thy brothers must despise thee,
Never have they come to greet their sister."

'Bitter was the sorrow of Jelitza,—
Bitter from the morning to the evening,
Till the God of Heaven took pity on her,
And he summon'd two celestial angels.
"Hasten down to earth," he said, "my angels:
To the white grave, where Jovan is sleeping,

Young Jovan, the maiden's youngest brother,
Breathe your spirit into him, and fashion,
From the white grave-stone, a steed to bear him
From the mouldering earth, his food prepare him,
Let him take his grave-shroud for a present,
Then equip and send him to his sister."

'Swiftly hasten'd God's celestial angels
To the white grave, where Jovan was sleeping.
From the white grave-stone a steed they fashion'd,
Into his dead corpse they breathed their spirit,
From the ready earth the bread they moulded,
For a present, his grave-shroud they folded,
And equipp'd, and bade him seek his sister.

'Swiftly rode Jovan to greet his sister.
Long before he had approach'd her dwelling,
Far, far off his sister saw and hail'd him;
Hasten'd to him, threw her on his bosom,
Loosed his vest, and stamp'd his cheek with kisses.
Then she sobb'd with bitterness and anguish,
Then she wept, and thus address'd her brother:
"O! Jovan! to me, to me, a maiden,
Thou'rt all my brothers; all of ye promised,
Oft and oft, to seek your distant sister—
Every month in every year to seek her,
Every week in every month to seek her.
Three long years have sped away unheeded,
And ye have not sought me." For a moment
She was silent, and then said, "My brother,
Thou art deadly pale; why look so deadly
Pale, as if in death thou hadst been sleeping?"
But Jovan thus check'd his sister: "Silence,
Silence, sister! as in God thou trustest;
For a heavy sorrow has o'erta'en me.
When eight brothers had prepared their nuptials,
Eight step-sisters ready to espouse them,
Hardly was the marriage service ended
When we built us eight white dwellings, sister;
Therefore do I look so dark, Jelitza."
Three whole days had pass'd away unheeded,
And the maid equipp'd her for a journey.
Many a costly present she provided
For her brothers and her bridal sisters;
For her brothers, fairest silken vestments—
For her bridal sisters, rings and jewels.
But Jovan would fain detain her;—"Go not,
Go not now, I pray thee, my Jelitza.
Wait until thy brothers come and seek thee."

But she would not listen to her brother;
She prepared the costliest, fairest presents.
So the young Jovan began his journey,
And his sister travell'd patient by him.

'So as they approach'd their mother's dwelling,
Near the house a tall white church was standing.
Young Jovan he whisper'd to his sister—
"Stop, I pray thee, my beloved sister;
Let me enter the white church an instant;
When my middle brother here was married,
Lo, I lost a golden ring, my sister;—
Let me go an instant—I shall find it."
Jovan went; into his grave he glided,
And Jelitza stood.—She stood impatient,
Wondering—wondering; but in vain she waited.
Then she left the spot to seek her brother.
Many and many a grave was in the churchyard,
Newly made;—Jovan was nowhere. Sighing,
On she hasten'd, hasten'd to the city;
Saw her mother's dwelling, and press'd forward
Eager to that old white dwelling.
'Listen
To that cuckoo's cry within the dwelling.
Lo, it was not the grey cuckoo's crying;
'Twas her aged, her grey-headed mother.
To the door Jelitza press'd; outstretching
Her white neck, she called, "Make ope, my mother,
Hasten to make ope the door, my mother."
But her mother to her cries made answer—
"Plague of God, avaunt! my sons have perish'd;
All, all now have perish'd. Wilt thou also
Take their aged mother?" Then Jelitza
Shriek'd, "O, open, open, dearest mother!
I am not God's plague; I am thy daughter—
Thine own daughter—thy Jelitza, mother!"
Then the mother push'd the door wide open,
And she scream'd aloud, and groan'd, and flung her
Old arms round her daughter.—All was silent.
Stiff and dead they fell to earth together!'

On the amatory poems of the Servians, Goethe has bestowed a strong and merited tribute of admiration. He observes, that when taken as a whole, they cannot but be deemed of singular beauty: they exhibit the expressions of passionate, overflowing, and contented affection; they are full of shrewdness and spirit; delight and surprise are admirably pourtrayed, and there is in all a marvellous sagacity in subduing difficulties, and in obtain-

ing an end; a natural, but, at the same time, vigorous and energetic tone; sympathies, and sensibilities, without wordy exaggeration, but which, notwithstanding, are decorated with poetical imagery, and imaginative beauty; a correct picture of Servian life and manners. Every thing, in short, which gives to passion the force of truth, and to external scenery the character of reality. We regret that we can make room only for one of the shortest and simplest of these compositions.

'O! if I were a mountain streamlet,
I know where I would flow:
I'd spring into the crystal sea,
Where the gay vessels go,
That I might look upon my lover;
For fain my heart would know
If, where he holds the helm, he ever
Looks on my rose, and thinks
Of her who gave it; if the nosegay
I made of sweetest pinks
Is faded yet, and if he wear it.
On Saturday I cull,
To give him for a Sabbath present
All that is beautiful.'

The latest of Dr Bowring's contributions to his European Anthology is his *Poetry of the Magyars.* For this volume he seems to think it more necessary, than on any previous occasion, to bespeak the forbearance and candour of his readers; and, perhaps, as compared either with its Servian predecessor, or the *Ancient Poetry of Spain*, its effect will be felt to be comparatively monotonous; though this result is unquestionably owing to no fault of the translator. On the contrary, his skill in the mechanism of translation has, as might have been expected, increased by practice; the propensity to ornament the original by epithet or antithesis, which is the besetting sin of translators, he seems to have in a great measure weaned himself from, and to have adhered as closely as the analogy of the languages and the difficulties of versification would permit to the grand principle of exhibiting the author—as he is. But, though Hungary is associated with some interesting historical recollections, and though a certain interest must always be awakened in favour of the literature of a language now almost extinct, and which it seems the wish of its Austrian masters to abolish altogether, Dr Bowring himself seems hardly to claim for them any very exalted station upon his *Gradus ad Parnassum.* Even before the liberties and energies of Hungary were overthrown

by the battle of the White Mountain in 1620, though the Bohemian language appears to have been in a state of high cultivation, and the number of its pure writers considerable, its poets are undeserving of much note; nor do their collections of fugitive and anonymous poetry ever appear to have been either interesting or numerous. With that fatal battle, every thing in literature, politics, or church government, which could give to Hungary an independent national character, was at an end; the charter of its liberties, contained in the famous letter of his majesty, was cancelled, and the best blood of Bohemia poured upon the scaffold. Since the day, says the old cellar master in the Piccolomini,

> 'When Palsgrave Frederick lost his crown and kingdom,
> Its faith was shorn of chancel and of altar;
> Its banish'd brethren look'd upon their homes
> From other shores; and even the Imperial letter,
> With his own hand the Emperor cut in two.'

Amidst these scenes of banishment, proscription, and blood, and this prostration of national spirit and independence, the poetical genius of Hungary was little likely to display itself in any lofty or enduring monument of taste and skill, or even in the preservation or adaptation of those brief, but energetic and spirit-stirring traditions, which form so important an element in the national poetry of Spain. And at last the extinction of the Transylvanian court, and the transference of the *élite* of society to Vienna, completed that desolation which the early subjugation of Bohemia had begun.

The greater part of the Hungarian poetry, therefore, as might be expected, is of an imitative cast. Many of their best poets wrote in Latin; but even in those who still used the neglected Magyar language, the influence of foreign literature is sufficiently obvious. Sweetness and polish, rather than strength, are its characteristics; their verses reflect that fine ear for music and harmony, which seems to be a distinguishing quality in the Bohemian character. Their thoughts, though seldom grand, are generally natural and unexaggerated; their imagery appropriate, though confined in its range. In the elegiac and Anacreontic, many of their poets appear to have been extremely successful; and not a few of them have used the difficult Sapphic stanza with a grace and mastery of which we know scarcely any parallel, except in some of the Rimas of Villegas. In the sonnet, also, they have been no unworthy followers of the classic neatness, compression, and melody, of their Italian prototypes. In short, whatever could be done by care, by polish, by good taste

and good feeling, they have done well; though, in the loftier walks of poetry, they have not been very enterprising or successful adventurers.

With these views of the poetry of Hungary, our extracts from this volume must, of course, be brief.

The following sonnet is from Kazinczi, who was born in 1759, and is still alive. It seems to us to possess all the requisites of a good one:—

'My little bark of life is gently speeding
Adown the stream, midst rocks, and sands, and eddies,
And gathering storms, and darkening clouds, unheeding,
Its quiet course through waves and winds it steadies.
My love is with me, and my babes, whose kisses
Sweep sorrow's trace from off my brow as fast
As gathering there, and hung upon the mast
Are harp, and myrtle flowers that shed their blisses
On the sweet air. Is darkness on my path?
There beams bright radiance from a star that hath
Its temple in the heaven. As firm as youth
I urge my onward way. There is no fear
For honest spirits. Even the fates revere
And recompense love, minstrelsy, and truth.'

The following canzonet is from Alexander Kerfaludy, (born 1772,) the Hungarian Petrarch:—

'Now another century, blended
With past centuries, rolls away;
When another century 's ended,
All that lives will be but clay.
Thou and I—a pair so joyous—
Spite of dance and song, must die,
Time, rude tempest, will destroy us,
On his death-piles shall we lie.
Dost thou mourn? O, mourn no longer,
Death is strong, but love is stronger,
And where'er we go—shall go,
Sheltering us from lonely woe.'

Beizsenyi, who is still alive, has gained a high reputation in his own country, by the originality and fervency of his national compositions. He has been not less successful in adapting to the Hungarian language the classical metres; and we must do Dr Bowring the justice to say, that his translations of these metres into English, are among the very best we have met with. The following, from the ode entitled 'My Portion,' flow with all the grace of Villegas's 'Dolce vicino de la viride 'selva:'—

'Peace has return'd, I drop my quiet anchor,
Beautiful visions have no power to charm me;
Welcome the wanderer to thy native bosom,
Land of retirement.

'Are not my meadows verdant as Tarentum?
Are not my fields as lovely as Larissa?
Flows not the Tiber, with majestic bearing,
Through my dark forest?

'Fate may indulge its infinite caprices,
Shelter'd from want, unconquerable courage
Train me to look secure, serene, contented,
Up to the heavens.

'Place me among th' eternal snows of Greenland;
Place me among the burning sands of Zaara;
There shall your bosoms warm me, gentle muses,
Here your breath freshen.'

We can make room only for one specimen of four lines from Vitkovies, who died in 1829. The thought seems to us to be original, and well expressed:—

LOVE AND FRIENDSHIP.

'Love, my sweet Lida! resembles the fugitive shadows of morning,
Shorter and shorter they grow, and at length disappear:
Friendship, *our* friendship, is like the beautiful shadows of evening,
Spreading and growing, till life and its light pass away.'

In conclusion, we cannot but congratulate Dr Bowring upon the accessions which he has made to our information as to the poetical literature of other countries, and acknowledge the pleasure we have derived from many of the specimens which he has introduced to our notice. To himself, we doubt not, the work has been a labour of love. 'I have never,' says he, 'left 'the ark of my country, but with the wish to return to it, bear-'ing fresh olive-branches of peace, and fresh garlands of poetry. 'I never yet visited the land where I found not much to love, 'to learn, to imitate, to honour. I never yet saw man utterly 'despoiled of his humanities. In Europe, at least, there are no 'moral nor intellectual wildernesses.' He has done much by his exertions to impress others with the same conviction; to awaken our sympathies for nations who are endeavouring to form to themselves a future poetical literature, or to preserve the wrecks of a past; and to correct those errors or prejudices with which older and more established literatures have been regarded.

To one, too, who himself possesses a poetical imagination, there is a gratification of no common kind, in endeavouring to save from forgetfulness, the names of so many poets, 'immeritis 'mori.' When Xerxes reviewed his army from the top of Mount Athos, he is said to have wept at the reflection how few of all that vast multitude would, in the course of a short time, be in existence. A feeling of the same kind must often occur to the minds of those who contemplate from that elevated point of view which Dr Bowring has occupied, the wide field of European poetry. How small the number of those labourers in the vineyard, who are now seen instinct with activity and gay hope, will survive the lapse of a few years! how many, even in their own lifetime, are doomed to follow the funeral of their fame! how very few can even hope to make their way beyond the limited sphere of their own country! But the poet sympathizes with the poet; and though his single efforts may not be able to save many from that oblivion which is overtaking them, it will still be to him a proud reflection, if he has succeeded in rescuing from forgetfulness one strain which should have been bequeathed to immortality, or even in reviving to a second short course of posthumous existence, some names over which that dark and silent tide seemed to have closed for ever.

ART. III.—*The Principles of Political Economy, with a Sketch of the Rise and Progress of the Science.* By J. R. M'CULLOCH, Esq., Professor of Political Economy in the University of London. Second edition, corrected and greatly enlarged. 8vo. London: 1830.

WE doubt not there are many persons who deny the utility of political economy—even to this day, when the south of England is spread with the smoking ruins of farm-houses, and the ashes of corn-stacks and barns, and when triumphant bands of insurrectionary labourers are parading the country to destroy agricultural machinery, where they are not anticipated by the terrified owners. Yet England is at this moment especially suffering from the consequences of the want of politico-economical knowledge among the lower, as well as the middle and higher, classes of the community. Those who have enquired into the subject, need not be told that the outrages which the enemies of political economy deplore in common with its friends, arise in the greatest part, and immediately, from the vulgar errors concerning machinery and wages, which a know-

ledge of the natural laws that regulate the production and distribution of the wealth of nations can alone dissipate; and that the distress which, next to the misconceptions of the labourers, was the cause of these mischiefs, was itself produced by the ignorance of those who form the class next above the offenders and their victims. The "allowance system,"—the plan of adding to wages out of the poor-rates in proportion to the number of the labourer's family—which grew out of a crude notion of the magistrates of the south of England concerning population—created the distress; and the prejudices of the people as to the effects of machinery have given the tumults a direction calculated to increase the misery of which riot is a symptom.

But the ignorance still prevailing on some of the subjects most closely connected with the prosperity of a country, shows itself in the indulgence, to say the least of it, on the part of many of the middle classes, to the designs of the tumultuary labourers, and the undisguised opinion of some persons of higher rank, of the justice, and reasonableness, and expediency, of their objects. Many who cannot even fancy that they have been personally injured by the use of machinery, have viewed its destruction with honest though lamentably misapplied satisfaction; and many also see in a forced rise of wages, and an increase of allowances out of the poor-rates, a natural and permanent remedy for the evils arising from a redundancy of the labouring population. These are symptoms not to be viewed without melancholy and alarm. If the enmity to machinery is fostered by the middle classes in a country which needs the wisest direction of all its power and industry to support its burdens,—if landlords and rate-payers think they have remedied the evils of a superabundant population, by a return to the abuses of the poor-laws which produced this redundancy, the country has not seen the worst of its difficulties.

We hope we have a government which knows its duties and the necessities of the times; but where the people are prejudiced, even a wise and honest government cannot act with freedom and safety: and in England, where so many important parts of the administration are really in the hands of the higher, middle, and even lower classes,—of the landholders, clergy, magistracy, and parish officers,—knowledge on the part of the government is not enough. Political economy is one of the kinds of knowledge useful at all times, eminently useful among the people in times of distress and emergency. The diffusion of this, as of other sciences, must begin with those who have

minds best prepared and most leisure to learn; but there is no piece of knowledge generally accepted among educated men, which does not produce a derivative effect on the lowest classes. The disappearance of meal-mobs in times of dearth, is an illustration of this benefit. It is clearly owing to the belief propagated and received (among those who have not heard the reasonings on which it is founded), that it is wise to respect in times of scarcity, as well as in times of plenty, the freedom of the trade in provisions. If the effects of machinery were generally well understood, even by the middle classes of society, it might be affirmed, that mobs to destroy machines would be as impossible at this time of day as mobs to burn witches.

A good elementary work on political economy is therefore at this time a great public benefit, but one which is not conferred without difficulty. The task of writing elementary works on a moral science of which the doctrines are not recognised, is something like that of administering a country imperfectly settled, where the characters of the legislator and the soldier are intimately blended, and the reverend authority of a judge will not protect him without pistols at his holsters. The true church in political economy is still a church militant; and every teacher must act the part of a controversialist. The attempt, too, is rendered arduous by the defects, but still more by the great countervailing merits, of the work which first directed the minds of men to the study in this country. Dr Adam Smith, perhaps, without aiming at, and certainly without attaining, perfect accuracy and consistency in the use of terms, without troubling himself with many definitions, led his readers, by his easy eloquence and his abundant illustrations, and what may be called a *narrative* style of reasoning, to an understanding of the most important circumstances on which the wealth of a state depends. His chief object, in which he was perfectly successful, was to produce a conviction on practical questions, rather than to erect a perfect system. But there is no writer on any moral or political science who leaves on his readers so complete an impression, that he has thoroughly understood and exhausted his subject. His successors have to contend against some of the misconceptions he has introduced, and to be measured by the high standard of excellence which he has set up.

The author of the work before us is already advantageously known to most of our readers, and with the first edition of the book many of them may be acquainted. It was a view of political economy, with its modern discoveries; and though somewhat tinctured—as the work of a man of original mind must be—with opinions peculiar to its author, presented, in an intelligible

and connected shape, the doctrines which are now generally admitted by the men who have paid most attention to the subject, and what, without assumption, may be termed the science in its most advanced shape. His extensive historical and statistical knowledge enabled him to support the theories he explained, and to make generalization tolerable to many who cannot bear it in its dry and unmitigated shape. With some of the controversial spirit, from which it is so difficult to disengage such a work, with some dogmatism now and then on debateable ground, the knowledge condensed in it, the clearness of conception, the vigour and reach of thought, and the earnestness, simplicity, and strength of style, made it a book valuable to its readers, and, what is of the highest consequence, readable with pleasure.

In his present edition, which the author has greatly enlarged, he has reduced the amount of controversial matter, and has endeavoured to give the work more of a practical character. 'For this purpose,' he observes, 'I have entered at consider-'able length into an examination of various important sub-'jects of national policy, which, while they afford some stri-'king illustrations of the application of the principles of the 'science, show in how far they are liable to be modified in their 'operation by secondary or accidental causes.' The practical application of political economy is material, even in an elementary work, because not only without it is the science itself barren, and to many uninviting, but the rash use which may be made of its principles tends to bring the pursuit of it into disrepute. The difficulty in treating this part of the subject, is its great extent. Mr M'Culloch has necessarily been driven to make a selection of the topics which force themselves on his notice, and to treat many of those which he has selected very briefly. In the present article, we can only advert to a few of the prominent parts peculiar to this edition, without attempting an analysis of the whole.

The chapter on population, modified as it now is, appears to us to be one of the most valuable in the work. The clear and fair, and, by its fairness, novel view which it presents of the influence of the principle of increase in the condition of the human race, will go far, we think, to put an end to controversy on this important subject.

The changes of opinion concerning population are among the most remarkable in the history of philosophy in modern times. Within the memory of the present generation, it was deemed (as it had been considered for ages to be) one of the first duties of a government to encourage population by every kind of artificial stimulus. Since the great work of Mr Malthus appeared and

became known, a directly opposite opinion has begun to prevail among the majority of reflecting men throughout Europe, if it has not yet passed into a popular belief; namely, that the principle of increase, far from needing any artificial support from those who regard the well-being of states, is in itself a formidable obstacle to the improvement of the social condition of man, and to the happiness of the species. So strongly has this last opinion affected the minds of some able and humane men, that it has led them to entertain projects for controlling the progress of population, which not even the gravity of the subject, and the manifest good intentions of the proposers, have shielded from ridicule and indignation.

The ancient opinion was a mistake of an effect for a cause. Nations which were populous were seen to be also prosperous and abounding in wealth, and political philosophers thought, that to increase population was to insure abundance, while, in fact, nothing but abundance was ever necessary to insure populousness. It is to be observed, however, that, in antiquity, the encouragement was not given to population generally, but to the increase of the free *citizens.* There is an obvious difference between the attempts to increase the numbers of the members of a state interested in the support of its institutions, and capable of bearing arms—(necessarily a *relative* increase of that valuable class, as compared with strangers and slaves)—and the notions favoured by so many philosophers of the last century, that it was desirable to attempt to swell, by artificial stimuli, the total amount of an homogeneous population.

The conclusions which might have been usefully deduced from the labours of Mr Malthus are well summed up, in the work before us, in the following words:—'That every increase 'in the numbers of a people occasioned by artificial expedients, 'and which is not either preceded or accompanied by a corresponding increase of the means of subsistence, can be productive only of misery or increased mortality; that the difficulty 'never is to bring human beings into the world, but to feed, 'clothe, and educate them when there; that mankind *do* everywhere increase their numbers, till their multiplication is 'restrained by the difficulty of providing subsistence, and the 'poverty of some part of the society; and that consequently, 'instead of attempting to strengthen the principle of increase, 'we should invariably endeavour to control and regulate it.'—These conclusions are not to be shaken, and they are as important as they are well established. But Mr Malthus probably succeeded in riveting attention more by his comparison of the different powers of increase (in geometrical and arithme-

tical progression) of population, and the means of subsistence, than by any other part of his work. Yet it may be doubted whether this comparison contributes much to the elucidation of the subject, and it has been a fruitful source of controversy and misconception. If we understand by these powers of increase the tendency of population and the means of subsistence to advance under the actual circumstances of the world, the power of increase in each must be measured by the increase itself. If, on the other hand, we compare (which seems to be the meaning of Mr Malthus) the probable growth of the means of subsistence in this or that country, or in the world, with the possible increase of population under the most favourable conceivable circumstances—that is to say, the most abundant feeding consistent with robust health, and the earliest marriages compatible with sound morality; all that can be predicated of the comparison is, that while the supposed rate of increase in the one case is easily ascertainable and uniform, the actual increase in the other is not to be ascertained in any one stage, and will not be uniform in all. We cannot, to any purpose, compare the notional growth of a penny, at compound interest,* with the probable growth of the fortunes of an industrious family. We may assert with confidence that, at some time or other, the arithmetical formula will outstrip, in imagination, the contingent growth of the reality; but we should only delude ourselves by attempting to draw any more accurate conclusions from this necessary admission.

Mr Malthus's valuable work is, moreover, incomplete in one important respect. He first proposed his theory to moderate exaggerated hopes, and to dissipate false fears; to damp the expectations of those who fancied that human nature was susceptible of indefinite improvement, and, at the same time, to replace the prevailing error of another class of philosophers—the dread of a decline of population—by a more reasonable apprehension of the excess of numbers, compared with the means of subsistence. But his work, successful as it has been, probably beyond the expectations of its author, for these purposes, is but a one-sided view of the effects of the principle of population. The tendency of mankind to increase is powerful enough assuredly; it needs no artificial stimulus; it *does* produce great

* It is to be observed, that Dr Price struck the imagination of the public with this very figure. The delusion consequent on it, which passed into the financial policy of the country, is one of the most striking specimens of mental hallucination.

occasional evils and continual inconveniences; it *would*, if unrestrained, beyond doubt be a source of misery and a cause of degradation of societies to the lowest condition of human or animal existence. But it is equally certain that this same tendency, operating on the forethought of rational beings, is essential to the continued progress of society. This fact, than which nothing is more easily demonstrated, must henceforth satisfy those who think the principle of increase (or superfecundity, as they call it) inconsistent with their notions of the schemes of creation, and who desire to help out Providence by their anger and mistakes. Providence does not need to be aided by blunders in arithmetic, nor does the cause of rational piety, any more than that of philosophy, suffer in this, or in any other instance, by having the truth investigated.

Mr M'Culloch very clearly and powerfully illustrates the beneficial operation of the above principle, in the following passage. After showing the indubitable tendency of population, *if unchecked*, to increase, till famine and pestilence relieve society from its accumulation, he thus continues:—

'It has been often said, that if the doctrines now laid down, with respect to population, were really well founded, they would go far to subvert all the best established opinions with respect to the goodness of the Deity, and would effectually paralyze all attempts at improvement, by showing it to be in a great degree hopeless. There is not, however, any real ground for these statements. Not only are industry and forethought natural to man, but his advancement in the scale of being has been made to depend on their cultivation and improvement. We should infallibly die of hunger and cold, did we not exert ourselves to provide food and clothes. But could any thing be more ludicrously absurd than to object to those who simply state a fact of this sort, that they are impeaching the order of Providence? The powers and capacities implanted in man, seem capable of an almost indefinite improvement; but instinct did not direct him in their use. The more remote the epoch to which we carry our researches, the more barbarous and uncomfortable do we find his condition. Pressed, on the one side, by the strong hand of necessity, and stimulated, on the other, by a desire to rise in the world, our powers have been gradually developed, according as observation or accident taught us the best method of effecting our ends. *Want* and *ambition* are the powerful springs that gave the first impulse to industry and invention, and which continually prompt to new undertakings. It is idle to suppose that men will be industrious without a motive; and though the desire of bettering our condition be a very powerful one, it is less so than the pressure of want, or the fear of falling to an inferior station. Were this not the case, invention and industry would be exhibited in the same degree by the heirs of ample fortunes, as by those who have been educated in humbler circum-

stances, and compelled to exert themselves. But every one knows that the fact is not so. The peerage cannot boast of having given birth to an Arkwright, a Watt, or a Wedgwood. Extraordinary exertions, whether of mind or body, are very rarely made by those who are enabled, without their assistance, to live comfortably. The principle of increase has, however, prevented this from ever becoming the condition of the great mass of mankind, and unceasingly applies the most powerful stimulus—the *duris urgens in rebus egestas*—to industry and invention. Much, indeed, of the effect usually ascribed to the desire of rising in the world, may be traced to the operation of this principle. It is not solely on the lower classes, nor by the actual pressure of necessity, that it exerts its beneficial influence. At that period of life when habits are formed, and man is best fitted for active pursuits, a prospect is presented to every one, whatever may be his rank or station, who is either married, or intends to marry, of an indefinite increase of his necessary expenses; and unless his fortune be very large indeed, he finds that economy and industry are virtues which he must not admire merely, but practise. With the lower classes the existence of present, and with the middle and upper classes the fear of future want, are the principal motives that stimulate intelligence and activity. The desire to maintain a family in respectability and comfort, or to advance their interests, makes the spring and summer of life be spent, even by the moderately wealthy, in laborious enterprises. And thus it is, that either for ourselves, or for those with whose welfare our own is inseparably connected, the principle of increase is perpetually urging individuals to new efforts of skill and economy. Had this principle either not existed at all, or been comparatively feeble, activity would have been superseded by indolence, and men from being enterprising and ambitious, would have sunk into a state of torpor; for in that case, every additional acquisition, whether of skill or wealth, would, by lessening the necessity for fresh acquisitions, have infallibly occasioned a decline in the spirit of improvement; so that, instead of proceeding, as it became older, with accelerated steps in the career of discovery, the fair inference is, that society would either have been entirely arrested in its progress, or its advance rendered next to imperceptible. But it has been so ordered, that whatever may at any time occasion a decline of the inventive powers, must be of an accidental and ephemeral character, and cannot originate in a diminution of the advantages resulting from their exercise. Even in the most improved societies, the principle of increase inspires by far the largest class—those who depend on their labour for the means of support—with all those powerful motives to contrive, produce, and accumulate, that actuated the whole community in more early ages. No people can rest satisfied with acquisitions already made. The constant pressure of population against the limits of subsistence renders the demand for fresh inventions and discoveries as great at one time as at another, and secures the forward progress of the species. A deficiency of subsistence at home leads to migrations to distant countries; and

thus, not only provides for the gradual occupation of the earth, but carries the languages, arts, and sciences of those who have made the farthest advances in civilisation to those who are comparatively barbarous. It sometimes, no doubt, happens, that notwithstanding this resource, and the most strenuous efforts on the part of the industrious classes, population so far outruns production, that the condition of society is changed for the worse. But the evils thence arising, bring with them a provision for their cure. They make all classes better acquainted with the circumstances which determine their situation in life; and while they call forth fresh displays of invention and economy, they, at the same time, dignify and exalt the character, by teaching us to exercise the prudential virtues, and to subject the passions to the control of reason.

'It does, therefore, seem reasonable to conclude, that the law of increase, as previously explained, is in every respect consistent with the beneficent arrangements of Providence, and that instead of being subversive of human happiness, it has increased it in no ordinary degree.'

This reasoning appears to us irresistible. Those who think the principle of population inconsistent with the goodness of the Deity, would be sufficiently answered if we said, that society has improved in *spite* of the tendency to increase. But we can say with truth, that society has improved chiefly *through* it. It is, in fact, that

——'strong necessity,
Which keeps the world in its still changing state.'

It is easy to conceive a people, indeed, improving while their numbers do not actually increase, but it is scarcely possible to conceive any improvement where the numbers have no tendency to increase. On this ground Mr M'Culloch thinks, with great appearance of reason, that if the schemes for directly repressing population were successful, they would prove destructive of the energy of society. 'Could we,' he observes, 'subject the rate 'of increase to any easily applied physical control, few comparatively, among the lower classes, would be inclined to burden 'themselves with the task of providing for a family;* and the 'most effective stimulus to exertion being destroyed, society 'would gradually sink into apathy and languor. It is, therefore, to the principle of moral restraint, or to the exercise of 'the prudential virtues, that we should exclusively trust for the 'regulation of the principle of population. In an instructed 'society, where there are no institutions favourable to improvi-

* 'The readiness with which the lower classes send their children to foundling hospitals, seems a sufficient proof of this.'

'dence, this check is sufficiently powerful to confine the progress 'of population within due limits, at the same time that it is not 'so powerful as to hinder it from operating, in all cases, as the 'strongest incentive to industry and economy.'

Closely connected with the questions on population, are those concerning the laws for the relief of the poor, (so pressing in their interest at present in Ireland as well as England;) for our judgment on such laws must depend on the answer to this enquiry—Whether they tend to regulate, in a beneficial manner, the increase of the numbers of the people,—always ready, as we have seen, to outrun the increase of capital. If a compulsory provision for the relief of the poor tends, by extinguishing or weakening the prudential virtues, to increase the number of labourers, as compared with the means of subsistence, its show of charity is false and hollow; the condition of the class which it affects to benefit, must be on the whole deteriorated; and those who support it are no more entitled to the character of rational benevolence, than any other weak persons, who, for the indulgence of their indolence, or of a maudlin sensibility, foster the vice and misery of society. The most difficult subdivision of the question is, whether any legal title to relief should be given to the able-bodied poor,—to persons able and ready to work, but who cannot find employment, or cannot earn wages adequate for their support? This question, all the difficulty of which Mr M'Culloch admits, he is now disposed, in opposition to the opinion he formerly entertained, to answer, under some restrictions, in the affirmative.

If, by this legal title to relief, we understand a title to a sufficient sustenance for himself and any number of children he may have, to be recognised in every person who shall be ready, or profess his readiness to work, it is impossible to conceive that a society which adopts such a rule without any countervailing regulations, does not take away one of the strongest inducements to prudence and frugality on the part of the labouring poor. Must it not of necessity follow, that labourers will be less fearful of improvident marriages, and less solicitous to accumulate a provision for themselves, during the vicissitudes to which all employments are exposed, if they are assured by the legislature, that in no event shall they or their offspring want the necessaries of life? By this assurance it is clear, that if the difference between the condition of the industrious and the idle—the frugal and the dissipated—the provident and the improvident—is not entirely removed at first, it is at once very much diminished. If, in the progress of time, the population of labourers increase far beyond the means of profitable employment, (which

seems necessarily to follow upon such a system,)—as the utmost frugality and industry on the part of a working man would not obtain more than a bare subsistence, and the law would not allow the worst labourer to receive less—all motive to extraordinary exertion would disappear, and the whole produce of the land would be consumed by heartless, listless paupers bestowing the minimum of labour, and receiving the minimum of wages, and all reduced to the confines of want by the very law which affected to secure every one of them from actually suffering under its pressure. Of these consequences of a compulsory provision for the able-bodied poor in its simple shape, Mr M'Culloch seems fully aware; but he contends, notwithstanding, that the mischiefs of a poor-rate may be, and have been, in England, repressed by regulations as to its management, and that its advantages *may* be secured without any material alloy.

He observes that a statutory provision has been established in England for about two hundred and thirty years; that there was no considerable increase in the population consequent on this provision,—that the labouring population of England have been, till very recently, eminently distinguished for forethought and consideration,—and that they will still bear an advantageous comparison in these respects with the people of any other country; and in proof of it he observes, that in 1815 there were 925,439 individuals—being about one-eleventh of the then existing population—members of friendly societies, enabling them to subsist in sickness and old age without resort to the parish funds; that the deposits in the Savings Banks amount at present to about *fourteen millions;* and that extensive and adventitious causes are to be found for the degradation of the poor in some districts,—in particular, the influx of paupers from Ireland, (a country where there are no poor laws,) and the condition of the population of which affords, it is said, a decisive proof of the fallacy of all complaints that have been made as to their injurious operation.

He thinks, too, that the variation between what appear the natural consequences of a compulsory provision for the poor, and its actual results, may be explained by the powerful countervailing checks, without which he admits it must have produced the effects commonly ascribed to it. He believes the opponents of the poor-laws have fallen into error, 'not so much 'by a false estimate of their operation on the labouring classes, 'as in having fixed their attention exclusively on it, without 'having adverted to their operation on others.' He observes, that the act of the 43d of Elizabeth, having laid the burden of providing for the poor on the landlords and tenants, left them to

administer the relief in the way they thought best. It therefore stimulated them to take means for preventing the growth of a pauper population, which, our author conceives, there are good grounds for thinking have confined it within far narrower limits than it would have attained, had the poor-laws not been in existence. This effect he attributes to the hard terms on which relief was commonly granted,—to the indisposition of landlords and occupiers to allow the erection of cottages, or the splitting of farms, and to the laws of settlement. Down to 1795, he reminds us, the universal complaint was, not that the poor-laws had increased population and lowered wages, but that they had diminished it and raised wages; and he cites abundant authorities to prove the existence of this complaint. Arthur Young, having laid it down as an axiom, that the strength of a state lay in the numbers of the labouring poor, complained, in his *Farmers Letters*, that 'the prodigious restrictions thrown on their 'settlements tend to prevent an increase. There is no parish,' he observed, 'but had much rather that its young labourers 'would continue single: in that state they are not in danger of 'becoming chargeable, but when married, the case alters; all 'obstructions are therefore thrown in the way of their marrying; and none more immediately than that of rendering it as 'difficult as possible for the men when married to procure a 'house to live in; and this conduct is found so conducive to 'easing the rates, that it gives rise to an open war against 'cottages. How often do gentlemen, who have possessions in 'a parish, when cottages come to sale, purchase them, and 'immediately raze them to the foundation, that they may never 'become the *nests*, as they are called, of *Beggars' brats.*'

'Those who have speculated,' observes Mr M'Culloch, 'with respect to the operation of the poor-laws on the prudential virtues, have usually belonged to the upper classes, and have supposed the lower classes to be actuated by the same motives as those with whom they associate. But the circumstances under which these classes are placed are so very different, as to render it exceedingly difficult to draw any accurate conclusion as to the conduct of the one, in respect of such matters, from observations made upon the conduct of the other. A man who is comfortable in his circumstances, must, in order not to lose caste, and to secure a continuance of the advantages which he enjoys, exercise a certain degree of prudence; but those who possess few comforts, who are near the verge of human society, and have but little to lose, do not act under any such serious responsibility. A want of caution, and a recklessness of consequences, are in their case productive of comparatively little injury, and are less guarded against. The most comprehensive experience proves that this is the case. The lower we descend in the scale of society, the less consideration and

forethought do we find to prevail. When we either compare the different classes of the same country, or of different countries, we invariably find that poverty is never so little dreaded as by those who are most likely to become its victims.'—P. 416.

He concludes, therefore, that the mere fear of being left destitute, had the poor-laws not existed, would not have operated so powerfully in the way of deterring the labouring classes from entering into improvident unions, as the formidable restraints that grew out of the poor-laws.

These considerations, whether conclusive or no, are entitled to the utmost attention. But it is to be observed, that the salutary effect of a system of compulsory relief is expected to result, not from its operation on the poor, but from the terror and the consequent vigilance with which it inspires the rich; and from the restraints which they are enabled, by means of the influence of property or of direct laws, to impose on the liberty of the lower classes. 'Countervailing checks,' therefore, are of the very essence of any system of poor-laws; the benefit of the compulsory relief being of no other advantage than to give the richer classes, through their selfishness, a strong motive to exert themselves. Admitting, therefore, Mr M'Culloch's conclusions to be correct, nothing can be affirmed concerning the effect of a system of compulsory relief on the population of a country, unless we know on whom the tax is assessed, and by whom it is distributed; what is the state of property, and above all, what are the powers with which the payers and administrators of the rates are invested over the poor.

It is an historical fact, which will not surprise the reader, after this consideration of the principles of the poor-laws, that the rates were most moderate, and the effect of the law in repressing excessive population, most beneficial, at the time when the system of compulsory relief was accompanied by restrictions on the liberty of the labouring classes, which many contemporary writers of the highest talents and reputation, denounced as the most intolerable oppressions. The law of Elizabeth had been in existence about sixty years, when Parliament complained, in the preamble to the statute 13 and 14 Char. II. c. 12, of 'the 'necessity, number, and continual increase of the poor through 'the whole kingdom of England and dominion of Wales,' as 'very great and exceeding burdensome, and that,' by reason of some defects in the law, poor people were 'not restrained 'from going from one parish to another.' The same statute, empowered the Justices, on complaint of the churchwardens or overseers of the poor, to remove any person they deemed likely to be chargeable; in fact, any labouring or poor person whatever,

coming to settle in a parish, unless he rented a tenement of the yearly value of ten pounds; which then, and long after, must have been a tenement much above the means of a labouring man. Under this law, which the Parliament of William and Mary (3, c. 11) declared to 'have been found by experience to be good 'and wholesome,' coupled with the manner in which the rights of property were exercised in many parishes, the power of the farmers and landholders over the labouring poor was in many cases absolute. A poor man could not marry in his own parish, for there he could find no dwelling; he could not remove with his wife to another, for from thence he would be infallibly removed. By the 8th and 9th of William and Mary, c. 30, every person receiving relief in a parish, was compelled to wear a badge, on pain of having his allowance withdrawn, or being imprisoned, kept to hard labour, and whipt; and even an overseer relieving an unbadged pauper, was subjected to a penalty. By the 9th George I. c. 7, the title to relief was taken from any poor person who refused to be lodged in the workhouses which that statute empowered the parishes to purchase or build. These severe enactments continued without any relaxation, (for the certificate system, though sometimes beneficial to the labourer, increased rather than diminished the power of the rich over the poor,) till the beginning of the war against the French Republic; that is, till the time when the difficulties now complained of in the administration of the poor-laws, commenced their rapid growth. In June 1795, the labouring poor were 'emancipated,' by the act to prevent the removal of poor persons until they become actually chargeable. In December of the same year, the justices of the peace were empowered to order relief to be granted to the poor in their own houses, even in places where workhouses were provided. The law for badging the poor was repealed at a later period, but it had long before been disregarded. No doubt the alteration of the law was not the only, perhaps not the principal, cause which then came into being: we have already adverted to one at the beginning of this article, of which the disturbed districts in the south have been recently reaping the fruits; and which seems to have freed the poor-laws from the greater part of the 'countervailing checks' which before existed, and to have shown the effect of a system of compulsory relief in its pure shape,—in the unmitigated dangers of its ostensible benevolence.

Mr M'Culloch describes the birth of the "allowance system" in the following passage. We beg our readers to observe that it was simultaneous with the alteration of the law of removal,—that it was conceived in the same spirit of kindness to the poor,—and

that it had the appearance of being in harmony with the law of relief, by putting the title to receive it on an intelligible footing, divesting it of the idea of degradation, and subjecting it to definite rules.

'During the period between the termination of the American war, and the commencement of the late French war, the rates were again considerably reduced;* but in 1795 a total change was unhappily made in the system, which had been productive of such beneficial results. The price of corn, which had, upon an average of the three preceding years, averaged 54s., rose, in 1795, to 74s. As wages continued stationary at their former elevation, the distress of the poor was very great; and many able-bodied labourers, who had rarely before applied for parish assistance, became claimants for relief. But instead of meeting this emergency as it ought to have been met, by temporary expedients, and by grants of relief proportioned to the exigency of every given case, one uniform system was adopted. The magistrates of Berks and some other southern counties, issued tables, showing the wages which, as they affirmed, every labouring man ought to receive, according to the variations in the number of his family, and the price of bread; and they accompanied these tables with an order, directing the parish-officers to make up the deficit to the labourer in the event of the wages paid him by his employer falling short of the tabular allowance. An act was at the same time passed to allow the justices to administer relief *out* of the workhouse, and also to relieve such poor persons as had property of their own! [?] As might have been expected, this system did not cease with the temporary circumstances which gave it birth, but has ever since been acted upon. It is now almost universally established in the southern half of England, and has been productive of an extent of mischief that could hardly have been conceived possible.

'It is needless to dwell on the folly of attempting to make the wages of labour vary directly and indirectly, with every change in the price of bread. Every one must see that if this system were *bona fide* acted upon,—if the poor were always supplied with the power of purchasing an equal quantity of corn, whether it happened to be abundant and cheap, or scarce and dear, they could have no motive to lessen their consumption in seasons when the supply is deficient; so that the whole pressure of the scarcity would, in such cases, be removed from them and thrown entirely upon the other, and chiefly the middle, classes. But not to insist on this point, let us look at the practical operation of the system as it affects the labourer and his employers. The allowance scales now issued from time to time by the magistrates, are usually framed on the principle that every labourer should have a gallon loaf of standard wheaten bread weekly for every member of his family, and one over; that is, four loaves for three persons, five

* *i. e.* from about L.1,000,000. They are now about seven millions.

for four, six for five, and so on. Suppose, now, that the gallon loaf costs 1s. 6d., and that the average rate of wages in any particular district is 8s. a-week. A, an industrious unmarried labourer, will get 8s.; but B has a wife and four children, hence he claims *seven* gallon loaves, or 10s. 6d. a-week; and as wages are only 8s., he gets 2s. 6d. a-week from the parish. C, again, has a wife and six children; he consequently requires *nine* gallon loaves, or 13s. 6d. a-week, and gets of course a pension, over and above his wages, of 5s. 6d. D is so idle and disorderly, that no one will employ him; but he has a wife and five children, and is, in consequence, entitled to *eight* gallon loaves for their support; so that he must have a pension of 12s. a-week to support him in his dissolute mode of life.'—P. 419.

Our author points out the consequences (if we did not know that at this very moment allowance tables are circulated under the authority of the magistrate in some districts, where they were previously not in full use, we should have said, the too obvious consequences) of this system; that it acts as a bounty on marriage, depresses the rate of wages, operates as a premium on idleness and profligacy, and takes away some of the most powerful motives to industry and good conduct; that it discourages working by the piece, and all those efforts for extraordinary earnings, which would endanger the allowance; and that by and through it the labouring population of the districts subject to it, 'are reduced to the condition of paupers, deprived of the means 'and almost of the desire to emerge from the state of helotism 'in which they are sunk.'

'It must be obvious to every one,' continues our author, 'that, if we would avert the plague of universal poverty from 'the land, a vigorous effort must be made to counteract this 'system; and we have experience to teach us how this may be 'done.' He contends that all that is necessary is, to revert to the regulations established previous to 1795;—to abolish every vestige of the allowance system, and to enact that henceforth no able-bodied labourer shall have a legal claim for relief, unless he consents to accept it in a workhouse. He guards himself from being supposed to recommend that relief should in all cases be refused, except to the inmates of workhouses; and allows that, in the great majority of instances, temporary assistance to the able-bodied, as well as the provision for the maimed and impotent poor, may be supplied to them better at home. The *authority* to refuse it, except under the condition of residence in a workhouse, he considers indispensable.

That all this is necessary, we doubt not: whether this is all that is necessary, we shall hesitate to affirm; and perhaps, after the experience of the last three months, Mr M'Culloch will hesitate also. The idea of the efficacy of the dread of work-

houses is, in the first stage of improvement, out of the question. If the allowance system is put a stop to—and that, no doubt, it must be—it will be difficult to prevent some expedients nearly as mischievous from being resorted to, in those districts where it has produced its worst effect—a redundancy of the labouring population. It must be recollected, that the payers of rates, in many of the worst parishes, with the exception only of the tithe-owner, and often without even that exception,* are the same persons as the payers of wages; in other words, the farmers must, either as contributors to the rates, or as employers of labourers, (and it matters little to them in which of the two characters,) support the whole of the labouring people. What may be called a market-rate of wages does not exist; but the farmers are compelled, by the conjoined operation of law, usage, charity, and terror, to supply the people with the means of supporting themselves on the accustomed food of the country. In a parish of this description, where only sixty labourers could find profitable employment, let us suppose eighty, divided into four equal classes, one of single men, the others of married men with families, differing in number from two to six. Under the allowance system, the unmarried men would receive six shillings each, as the lowest weekly sum sufficient to support them; the others, eight shillings, ten shillings, and twelve shillings, respectively; and an equal number of each class would probably be employed. If the allowance system were put an end to, the wages, as well of the married as of the single, would, under the operation of competition, amidst a population so redundant as we have supposed, fall to six shillings, or even below that sum. But a reduction of wages to that level, would devote the families of many of the labourers to starvation, and neither could be, nor ought to be, ventured upon. The wages would more probably be settled, not by competition, but by feelings of kindness or fear, at nine or ten shillings. The men who were employed would then cease to receive any regular allowance from the rates; and so far an improvement would be effected. But still those who were unemployed would remain to be supported by the parish, that is, by the farmers in another capacity; and these sagacious persons would have to ask themselves, which class of the labourers it was convenient for them, in their character of rate-payers, to support. If, under the new system, they paid wages to the unmarried men at the rate of ten shillings a-week, and supported

* In many parishes, the clergymen compound for certain money payments, clear of rates.

the married men with families, out of the rates, at an expense of ten or twelve shillings, they would discover that they would be losers by the change. Their practice, therefore, would be, to hire, at wages, the married men only, and to feed the single men in the cheapest manner, as paupers, and employ them, lest their lives should be too agreeable, in breaking stones, or keep them, as has been done in some places, in Pounds, to prevent their running about the country and doing mischief.

Under this change of system, there is an encouragement, in a new but equally powerful form, to improvident marriages. Nor is the plan we have spoken of an imaginary one. It exists already in many parishes. Lord King recently stated, in a debate in the House of Lords, that cases frequently occurred in a parish with which he was acquainted, of lads of nineteen or twenty presenting themselves at church to be married, as the only mode of getting employment. We have mentioned this, however, not as the only form, though an obvious and common form, in which the encouragement to population may be continued, under a system of compulsory relief, after the allowance system is forcibly destroyed. We cannot here follow the workings of the poor laws in all their details; it is enough to suggest, for the consideration of men so well acquainted with them as Mr M'Culloch, how difficult it is to prevent the inducement to early (it can scarcely, in such a state, be called improvident) marriages, from existing, in some form or other, where a redundant population enables the farmer to reduce the unmarried labourer to the lowest subsistence, and the poor laws, at the same time, secure the married labourer from absolute want;—where the poor man, in consequence, has nothing to lose, and nothing to fear, in yielding to the strongest and most universal of the passions.

We must suggest, too, that in considering the means of improving the state of the poor in England, Mr M'Culloch has not steadily enough kept in view the circumstance, that the rates are paid and administered almost exclusively by the occupiers, not by the owners, of the land. The interest of these two classes is not, in all cases, identical with respect to the poor-rates. The occupier regards, not the prospect of an increase or diminution of the rates at an indefinitely distant period, but their weight during the continuance of his lease. Thus, though it is obviously the interest of the proprietors of the soil of a parish, that the payments to married and unmarried labourers should be so apportioned, even at some temporary expense, as not to form an encouragement to a continued increase of population, and that other remedial measures, expensive for a time, should be adopted;

the mere occupier, in fixing the terms of whose tenancy the amount of rates would, on any renewal of his lease, be taken into consideration, has no such interest. His objects are—to derive all the present advantage he can from the state of the population, —to avoid, as much as possible, present expenditure, whether on rates or wages,—and to leave to providence and his landlord the care of the future.

If indeed the population were once so far reduced, in the agricultural parishes, that wages could be allowed to find their proper level by fair competition, we should find, in the interest of the farmers, and in their dread of any immediate increase of charges, a conservative principle in favour of the labouring poor. The occupiers would *then* strenuously exert themselves to keep down the rates, even though their efforts might lead, at some distant time, through a still further reduction of the population, to a further increase of wages. They would then zealously exercise, against the idle and disorderly, the powers which Mr M'Culloch recommends should be again intrusted to them, but which, we fear, are inadequate to elevate from a 'state of helotism,' the mass of the people. To a considerable part of England, indeed, the evils resulting from a relaxation of the countervailing checks which accompanied the poor laws, have not extended. For their preservation, the measures recommended by Mr M'Culloch would probably be sufficient. 'The plague of universal poverty' may be averted; but those whom the plague has stricken, cannot be healed by the precautions which will preserve the sound. Some effort must be made to remove the local excess of population. With all its difficulties, emigration is forcing itself on the minds of men; and the events of the day are teaching us, that, if we have a prospect of a slow cure by other means, the peace of the country may be destroyed in the process. It is obvious to those who have attended to the progress of the riots, that they have originated, in many places, in attempts made to render the administration of the poor laws more severe, without the precaution of relieving the mass of the people from pauperism; and that they have been stopped or suspended by concessions, which at the same time render the renewal of similar efforts at pauper reform doubly hazardous, and any acquiescence, under the present condition of the labouring poor, still more dangerous and intolerable.

We have dwelt much longer than we had intended on this portion of Mr M'Culloch's work—for the subject matter has grown in importance as we have written: nor have the difficulties of the general or the local questions comprised in it disappeared. Perhaps, in some states of society, it may be true, that the labouring

people are more improved by tutelage, and through coercion, than in freedom—through the care of the rich rather than by their own prudence; yet, having some parts of Scotland and some parts of England before our eyes, and minds not despairing of the intellectual advancement of the whole community, we fear to affirm this as a general proposition. If, too, the opinion of the last twenty years, that the English poor laws were essentially and inevitably mischievous to the poor themselves, and destructive of the capital of the country, has been shaken, we dread lest the opposite opinion should grow up,—that these laws contain within themselves the cure for the evils they have lately produced, or that the derangement can be healed by a few short declaratory enactments. This would be a fatal error. The removal of these evils, the reform and regeneration of the labouring poor, will need great fortitude, some sacrifices, and the highest wisdom and care of the legislature and of statesmen.

One of the most important additions made by our author to his work, is his examination of the proper limits of the interference of governments with the affairs of individuals, having reference to the objects proposed in the study of political economy, the production of wealth.

The difficulty of considering the problems of this nature, in a treatise on political economy, is, that they embrace the better half of the science of legislation, viz. all which concerns the objects and substance, and not merely the form and execution, of laws. For though, in legislating, the production and accumulation of wealth are not alone to be regarded, still they must never be omitted as a great element in every calculation. Thus, for example, in considering the institution of tithes, it is necessary to look to their effect on production, independently of all other considerations. Yet our knowledge of their result in this particular, however injurious that result might prove to be, might not by possibility countervail in the eyes of a legislator, their beneficial tendency in the promotion of religion, (a consideration which does not come within the scope of political economy,) if it should prove to be true, as some have asserted, that religion cannot be so effectually promoted by some less expensive expedient. In like manner, we may prove that a peculiar favour shown by law to particular species of vermin, as, for instance, hares or rats, might be prejudicial to the increase of the means of subsistence and comfort; but the moralist must afterwards be freely allowed to step in, and demonstrate, if he can, that the sacrifice which this favour might occasion would but cheaply purchase the moral advantage to the community from the influence and example of hunters or rat-catchers. All that can

be done is to show, by examples, the manner of conducting these investigations, and of applying principles and limiting their application according to the infinite variety of facts. The author is far from exhausting the subject, and even from pointing out many obvious topics which fall within this province; but he has done much good in opening, in a bold and striking manner, the discussion of this, which he truly terms a comparatively neglected, department of the science—though it has been scarcely more neglected by those, at least, who ought to possess it, than any other branch of the knowledge requisite for legislation, in a country where, since legislation has been rescued from the hands of mere lawyers, nothing seems to have been thought necessary to qualify a man for law-giving, but wealth and power.

Mr M'Culloch considers the interference of governments under these heads:

'1. The means of obtaining security and protection for property and industry.

'2. The species of contracts, and of testamentary dispositions, to which the government ought to give a legal effect.

'3. The means of adjusting such disputes as may arise among the citizens, and of enforcing the observance of contracts.

'4. The means of obviating confusion and fraud in the dealings of individuals.

'5. The species of industrious undertakings in which government may engage, or to which it should lend some peculiar sanction.

'6. The means proper to be adopted to secure the persons and property of the citizens, from such natural casualties as they would be subject to without the interference of government.'

In attempting to follow Mr M'Culloch through the subjects which he has ably treated under each of these heads, we should do him injustice by a meagre abstract. Under the first we remark, he decides in favour of the maintenance of tranquillity by a distinct class of individuals—by soldiers and police, in contradistinction to militias. A question however arises, whether, in states of society which it is not only very easy to conceive, but very possible that we may live to witness, property can be secured without a force so large, that if permanently organized after the manner of a standing army, it would be a direct burden, ruinous in its amount, on the wealth of a country, to say nothing of its possible danger to its liberties. Though the beneficial influence of the division of labour has, as Mr M'Culloch observes, been perceptible 'in the employment 'of a distinct class of individuals to maintain national tran-'quillity and security;' the recent effect in preserving tranquillity, of the national guard in France, may lead us to doubt whether there may not be exceptions to the rule.

Under the second head, our author lays it down as a principle, that the government is 'bound to assist in enforcing all 'contracts fairly entered into between individuals, unless they 'are made in opposition to some existing law, or unless they are 'clearly such as cannot fail of being prejudicial to the public 'interests. Contracts, or obligations, arising out of purely 'gambling transactions, have been supposed to be of this latter 'description, and it has been customary to refuse to give them 'any legal effect. The wisdom of this custom seems abundantly 'obvious.' He most satisfactorily proves the propriety of the custom; but it is only recently that it has extended to England, if, indeed, it yet is fully established there. The law on this, as on most other subjects, has been framed on no uniform principle; but has been directed, generally speaking, against gaming rather than against gambling. Till very recently, wagers, except those made at play, *were* enforced in the English courts of law; and the time of tribunals, overflowing with business, and refusing protection to the most salutary contracts, has been engaged with the most trifling of the *sponsiones ludicræ*. Lord Holt, a great light of the English law, tried an action on a wager, whether a player at backgammon, 'who stirred one of 'his men but did not play it, was bound to play it;' and, in modern times, Sir James Mansfield tried an action on a wager of *a rump and dozen*, whether the defendant was older than the plaintiff. The plaintiff recovered the amount of the tavern bill; and on a motion for a new trial, the Court of Common Pleas decided that the action was maintainable; for though Sir James Mansfield had some compunction, as he did not *judicially* know the meaning of a rump and dozen, Mr Justice Heath relieved him, by observing, that 'they knew *well privately* that 'a rump and dozen meant a good dinner and wine;' in which that learned judge declared he could discover 'no illegality.' There have been many cases of the same kind. The common sense of judges has, in modern times, often revolted at the absurdity of trying these actions: and they have endeavoured, on this, as on other occasions, gradually to make a law in accordance with their wishes. Lord Loughborough first objected to try an action on a wager, 'whether there are more ways than 'six of nicking seven on the dice;' and Lord Ellenborough refused to try another, arising out of a bet of two guineas on the weight of a game-cock. In many more recent cases, the judges have expressed themselves so strongly on the subject, that the practice of occupying the time of the courts with these frivolities has been checked, though not in the most legitimate manner. The legality of wagers, and the duty of the courts of

law in England to give them effect, has been often recognised; for instance, in the disgraceful action before Lord Mansfield, on a wager on the sex of the Chevalier D'Eon, which failed ultimately, not because it was on a wager, but on a different ground, —the illegality of contracts, by which parties gratuitously created to themselves an interest in the exposure or annoyance of a third person. Issues from courts of equity have continually been tried on feigned wagers; and it is only by a modern statute, 17th Geo. III. c. 48, that insurances on lives, or other events in which the assured have no interest, are rendered void.

Many of the questions which Mr M'Culloch discusses, in considering how far governments ought to give effect to the directions of testators, and in what manner they ought to distribute the property of those who die intestate, have been already discussed in this journal. In favour of the free power of disposition, by will, (without considering the propriety or impropriety of the precautions which are taken in this part of the island against wills made in the last moments of life,) the opinion of those who have reflected on the subject, in Great Britain, appears to be unanimous. Our author ably supports the current opinion. If we consider the question, with reference to the accumulation of wealth only, it appears more clearly favourable than in any other view. To persons advanced in life, the power of disposing of their property by will, is the chief inducement to continued accumulation. They are enabled to commit their property to the hands of those on whose skill they can rely, to guard against forced sales, and to favour those of their families or friends, who possess the virtues most favourable to the preservation of wealth,—the virtues which commonly attract the regard of those who have acquired it. We must not, however, omit to remark the perfect contentment of the French under a different system—nay, their violent affection for it. But some time will be requisite to show us whether or no the attachment is bestowed on the law on account of its permanent merits, or for the accidental benefit which the people suppose it has conferred on them, by breaking down the spirit of aristocracy.

To the question, 'whether an individual should be authorized to fix the conditions on which his property shall afterwards be enjoyed, or the purposes to which it is to be always applied?' Mr M'Culloch answers, that

'Those who decide these questions in the affirmative, really allow the presumption, folly, or ignorance of individuals, to become a standard to all future ages. Every man should have such a reasonable degree of power over the disposal of his property, as may

be necessary to excite his industry, and to inspire him with the desire of accumulating. But if, in order to carry this principle to the furthest extent, individuals were allowed to chalk out an endless series of heirs, and to prescribe the conditions under which they shall successively hold the property, it would be taken entirely out of the market; it might be prevented from ever coming into the hands of those who would turn it to the best account; and it could neither be farmed nor managed in any way, however advantageous, that happened to be inconsistent with the directions in the will. To establish such a system, would evidently be most impolitic; and hence, in regulating the transfer of property by will, a term should be fixed, beyond which the instructions of the testator should have no effect. It is, of course, impossible to lay down any general rule for determining this period. According to the law of England, a man is allowed to fix the destination of his property until the first unborn heir be twenty-one years of age, when his will ceases to have any farther control over it. This is perhaps as judicious a term as could be devised. It gives every necessary inducement to accumulation, at the same time that it hinders the tying up of property for too long a period.

'In Scotland it is lawful to settle or entail estates upon an endless series of heirs; but repeated Acts of Parliament have been passed to obviate some of the defects incident to this system; and it is probable that it will, at no distant period, undergo still more essential alterations.'—P. 262.

The subjects comprised in these paragraphs deserve more complete developement than could be devoted to them in an elementary work of political economy. They are among the subjects which demand the early interference of the legislature. In Scotland, if the right of entailing is allowed to continue, an entire severance of the productive classes from the owners of the land must ensue. There will be an impassable gulf between them. If Scotland existed as an independent state, one of two things would happen from the progress of this system,—the small body of landholders would acquire a degree of political power altogether inconsistent with the prosperity of other classes, or they would be swept away by the indignation and envy of the people.

But even in England, the law is not so clear or perfect as the author supposes, and it is very probable that there also the interference of the legislature will be required. He has expressed, in popular language, one interpretation of the rule which has regulated settlements of property there. The rule has been, that the final vesting of property, and, consequently, the power of alienating it, may be suspended for any number of lives in being, and a period of twenty-one years after the death of the survivor of them. But questions have arisen, 1stly, Whether

the lives shall be understood to be those of persons entitled to the temporary enjoyment of the property which is the subject of the settlement, or of any persons, indiscriminately taken, (this last interpretation seems now scarcely to be questioned;) and, 2dly, Whether or no the period of twenty-one years must be referred to the minority of some person who may be an infant at the time of the expiration of the last life, and who, in the event of his attaining full age, shall have the absolute dominion of the property. At first sight, it may appear to be of little importance in which way the questions are answered; but if we examine the effects of the two species of settlement to which they refer, we shall find that one interpretation of the law will bring us to the rule which fixes, according to our author, as judicious a term as could be devised; while the other will lead to a system approaching, in its practical effects, to the unlimited power of entail subsisting in Scotland. We may very briefly explain the operation of the two rules.

It happens, almost universally, that some one family is the object of the bounty of a testator, if not exclusively, decidedly in preference to all others. Under the system of settlement according to the notion of Mr M'Culloch, and which has been in fact common in England, a testator gives a life interest to the person who is to form the stock of the family in which he desires the property to descend—for instance, his child or grandchild, then in being; and the settlement is so framed, that when the first son of that first taker attains the age of twenty-one, the father and son together, if both be living, or the son alone, if the father be then dead, shall have the power of disposing of the property. And though it was practicable to defer the vesting of the property till the death of the tenant, or last tenant for life; yet, as the prolongation of the settlement, by such means, was uncertain, and the inconveniences certain, the vanity of testators was not often induced to eke out in this way their post-obituary authority. We might, probably, take thirty years as the average term, within which, property settled according to the ordinary mode, became finally vested for the purposes of alienation; and as it was impossible to flatter the imagination with the perpetuity of possession, powers to sell and exchange, if land was the subject of the settlement, were commonly vested in some persons in the meantime; so that it was rather a given amount of property, than a particular tract of land, which was, even for the moderate time we have mentioned, rendered inalienable. Marriage settlements have been framed on the same plan; but as the first unborn heirs con-

templated in those instruments, commonly present themselves with laudable promptitude, the portions of property subject to them were commonly tied up, on the average, for a shorter term of years.

If, on the other hand, we take a large number of healthy young persons, a hundred, for example, in the ranks of life most favourable to longevity, there is a moral certainty that some one of them will live nearly a century. If, therefore, it be lawful for a testator to direct, that during the life of the survivor of such a number of infants, enumerating, for example, all the children, now born, of all the barons of the United Kingdom, and a term of twenty-one years from the death of that survivor, his property shall descend in a given line, and shall not become wholly vested or alienable, till the expiration of the last mentioned term, with the possibility that after all it may vest in an infant; any portion of property may be tied up for a period which can scarcely fall short of a century, and may, perhaps, considerably exceed it.

Whether such a mode of settlement is lawful, is actually a question now under litigation in England. Two considerable settlements have been framed on this plan—one of the great property of the Duke of Bridgewater, the other of the property of a rich merchant of Bristol. The validity of the last of these has been questioned. An eminent judge (the present Master of the Rolls)* has decided in its favour; but there is an appeal against the judgment pending in the House of Lords.

If such a mode of settlement be lawful and become habitual, it will not differ materially in its results from the system of entailing prevalent in Scotland; and that, if it be once clearly and notoriously lawful, it will become habitual, the experience of this part of the island warrants us in asserting. It has been, indeed, argued by Englishmen, that the small number of instances in which the attempt has yet been made to frame settlements of this description, shows that there is no tendency to abuse the power. But the fact is to be accounted for on suppositions more reasonable than that of the absence in England alone of the vanity which leads testators to avail themselves of the utmost power of tying up property which the law allows them. The law on the subject is of modern and gradual growth. Where the law, as in England, is a constant matter of doubt and debate, and where every thing which is firm

* The case is reported under the name of Bengough *v.* Edridge, in the first volume of Simons's *Reports*.

and settled becomes so by repeated decisions of the judges, the cautious persons who manage the settlement of property are very slow to go to the limits of that which is safe. Even when a rule is first apparently established by a decision, it is not rashly trusted to. Some one tries it, like a boy first venturing on unsound ice, with trembling knees, dreading to be let through some crack or cranny, of which the apparent soundness of the surface has not given sufficient notice. If the first adventurer is not swamped, another and another experiment is made; and when the firmness is fully established, crowds rush on with the hardihood with which loungers and dealers in whisky and gingerbread ultimately trust their lives and possessions to the assurance of the frost.

The interference of the legislature will be required to make the rule of law reasonable and certain; and there is no conceivable reason why the rule, when the best one is ascertained, should not be extended to Scotland as well as England.

We must here conclude our notice of this able and useful publication. As our observations have been limited to one or two important topics, they afford a very inadequate view of its contents. It is, therefore, proper to add, that we consider it as by much the best manual of Political Economy, as the science now stands, that has yet been presented to the world, either in our own, or any other language with which we are acquainted.

ART. IV.—*Statement of the Civil Disabilities and Privations affecting Jews in England.* 8vo. London: 1829.

THE distinguished member of the House of Commons, who, towards the close of the late Parliament, brought forward a proposition for the relief of the Jews, has given notice of his intention to renew it. The force of reason, last session, carried it through one stage, in spite of the opposition of power. Reason and power are now on the same side; and we have little doubt that they will conjointly achieve a decisive victory. In order to contribute our share to the success of just principles, we propose to pass in review, as rapidly as possible, some of the arguments, or phrases claiming to be arguments, which have been employed to vindicate a system full of absurdity and injustice.

The constitution—it is said—is essentially Christian; and therefore to admit Jews to office, is to destroy the constitution. Nor is the Jew injured by being excluded from political power. For no man has any right to power. A man has a right to his property;—a man has a right to be protected from personal in-

jury. These rights the law allows to the Jew, and with these rights it would be atrocious to interfere. But it is a mere matter of favour to admit any man to political power; and no man can justly complain that he is shut out from it.

We cannot but admire the ingenuity of this contrivance for shifting the burden of the proof from off those to whom it properly belongs, and who would, we suspect, find it rather cumbersome. Surely no Christian can deny that every human being has a right to be allowed every gratification which produces no harm to others, and to be spared every mortification which produces no good to others. Is it not a source of mortification to any class of men that they are excluded from political power? If it be, they have, on Christian principles, a right to be freed from that mortification, unless it can be shown that their exclusion is necessary for the averting of some greater evil. The presumption is evidently in favour of toleration. It is for the persecutor to make out his case.

The strange argument which we are considering would prove too much even for those who advance it. If no man has a right to political power, then neither Jew nor Christian has such a right. The whole foundation of government is taken away. But if government be taken away, the property and the persons of men are insecure, and it is acknowledged that men have a right to their property and to personal security. If it be right that the property of men should be protected, and if this can only be done by means of government, then it must be right that government should exist. Now, there cannot be government unless some person or persons possess political power. Therefore it is right that some person or persons should possess political power. That is to say, some person or persons must have a right to political power. It will hardly be denied that government is a means for the attainment of an end. If men have a right to the end, they have a right to this—that the means shall be such as will accomplish the end.

It is because men are not in the habit of considering what the end of government is, that Catholic disabilities and Jewish disabilities have been suffered to exist so long. We hear of essentially Protestant governments and essentially Christian governments—words which mean just as much as essentially Protestant cookery, or essentially Christian horsemanship. Government exists for the purpose of keeping the peace,—for the purpose of compelling us to settle our disputes by arbitration, instead of settling them by blows,—for the purpose of compelling us to supply our wants by industry, instead of supplying them by rapine. This is the only operation for which the machinery

of government is fit, the only operation which wise governments ever attempt to perform. If there is any class of people who are not interested, or who do not think themselves interested, in the security of property and the maintenance of order, that class ought to have no share of the powers which exist for the purpose of securing property and maintaining order. But why a man should be less fit to exercise that power because he wears a beard, because he does not eat ham, because he goes to the synagogue on Saturdays instead of going to the church on Sundays, we cannot conceive.

The points of difference between Christianity and Judaism have very much to do with a man's fitness to be a bishop or a rabbi. But they have no more to do with his fitness to be a magistrate, a legislator, or a minister of finance, than with his fitness to be a cobbler. Nobody has ever thought of compelling cobblers to make any declaration on the true faith of a Christian. Any man would rather have his shoes mended by a heretical cobbler, than by a person who had subscribed all the thirty-nine articles, but had never handled an awl. Men act thus, not because they are indifferent to religion, but because they do not see what religion has to do with the mending of their shoes. Yet religion has as much to do with the mending of shoes, as with the budget and the army estimates. We have surely had two signal proofs within the last twenty years, that a very good Christian may be a very bad Chancellor of the Exchequer.

But it would be monstrous, say the persecutors, that a Jew should legislate for a Christian community. This is a palpable misrepresentation. What is proposed is not that Jews should legislate for a Christian community, but that a legislature composed of Christians and Jews, should legislate for a community composed of Christians and Jews. On nine hundred and ninety-nine questions out of a thousand,—on all questions of police, of finance, of civil and criminal law, of foreign policy, the Jew, as a Jew, has no interest hostile to that of the Christian, or even of the Churchman. On questions relating to the ecclesiastical establishment, the Jew and the Churchman may differ. But they cannot differ more widely than the Catholic and the Churchman, or the Independent and the Churchman. The principle, that Churchmen ought to monopolize the whole power of the state, would at least have an intelligible meaning. The principle, that Christians ought to monopolize it, has no meaning at all. For no question connected with the ecclesiastical institutions of the country can possibly come before Parliament, with respect to which there will not be as wide a difference between Christians, as there can be between any Christian and any Jew.

In fact, the Jews are not now excluded from political power. They possess it; and as long as they are allowed to accumulate property, they must possess it. The distinction which is sometimes made between civil privileges and political power, is a distinction without a difference. Privileges are power. Civil and political are synonymous words,—the one derived from the Latin, the other from the Greek. Nor is this mere verbal quibbling. If we look for a moment at the facts of the case, we shall see that the things are inseparable, or rather identical.

That a Jew should be a judge in a Christian country, would be most shocking. But he may be a juryman. He may try issues of fact; and no harm is done. But if he should be suffered to try issues of law, there is an end of the constitution. He may sit in a box plainly dressed, and return verdicts. But that he should sit on the bench in a black gown and white wig, and grant new trials, would be an abomination not to be thought of among baptized people. The distinction is certainly most philosophical.

What power in civilized society is so great as that of the creditor over the debtor? If we take this away from the Jew, we take away from him the security of his property. If we leave it to him, we leave to him a power more despotic by far, than that of the king and all his cabinet.

It would be impious to let a Jew sit in Parliament. But a Jew may make money, and money may make members of Parliament. Gatton and Old Sarum may be the property of a Hebrew. An elector of Penrhyn will take ten pounds from Shylock rather than nine pounds nineteen shillings and eleven pence three farthings from Antonio. To this no objection is made. That a Jew should possess the substance of legislative power, that he should command eight votes on every division, as if he were the great Duke of Newcastle himself, is exactly as it should be. But that he should pass the bar, and sit down on those mysterious cushions of green leather; that he should cry 'hear' and 'order,' and talk about being on his legs, and being, for one, free to say this, and to say that, would be a profanation sufficient to bring ruin on the country.

That a Jew should be privy-councillor to a Christian king, would be an eternal disgrace to the nation. But the Jew may govern the money-market, and the money-market may govern the world. The minister may be in doubt as to his scheme of finance till he has been closeted with the Jew. A congress of sovereigns may be forced to summon the Jew to their assistance. The scrawl of the Jew on the back of a piece of paper may be worth more than the royal word of three kings, or the national

faith of three new American republics. But that he should put Right Honourable before his name, would be the most frightful of national calamities.

It was in this way that some of our politicians reasoned about the Irish Catholics. The Catholics ought to have no political power. The sun of England is set for ever, if they exercise political power. Give them every thing else; but keep political power from them. These wise men did not see, that when every thing else had been given, political power had been given. They continued to repeat their cuckoo-song, when it was no longer a question whether Catholics should have political power or not; when a Catholic Association bearded the Parliament, when a Catholic agitator exercised infinitely more authority than the Lord Lieutenant.

If it is our duty as Christians to exclude the Jews from political power, it must be our duty to treat them as our ancestors treated them—to murder them, and banish them, and rob them. For in that way, and in that way alone, can we really deprive them of political power. If we do not adopt this course, we may take away the shadow, but we must leave them the substance. We may do enough to pain and irritate them; but we shall not do enough to secure ourselves from danger, if danger really exists. Where wealth is, there power must inevitably be.

The English Jews, we are told, are not Englishmen. They are a separate people, living locally in this island, but living morally and politically in communion with their brethren, who are scattered over all the world. An English Jew looks on a Dutch or a Portuguese Jew as his countryman, and on an English Christian as a stranger. This want of patriotic feeling, it is said, renders a Jew unfit to exercise political functions.

The argument has in it something plausible: but a close examination shows it to be quite unsound. Even if the alleged facts are admitted, still the Jews are not the only people who have preferred their sect to their country. The feeling of patriotism, when society is in a healthful state, springs up, by a natural and inevitable association, in the minds of citizens who know that they owe all their comforts and pleasures to the bond which unites them in one community. But under partial and oppressive governments, these associations cannot acquire that strength which they have in a better state of things. Men are compelled to seek from their party that protection which they ought to receive from their country, and they, by a natural consequence, transfer to their party that affection which they would otherwise have felt for their country. The Huguenots of France called in the help of England against their Catholic

kings. The Catholics of France called in the help of Spain against a Huguenot king. Would it be fair to infer, that at present the French Protestants would wish to see their religion rendered dominant by the help of a Prussian or English army? Surely not. And why is it, that they are not willing, as they formerly were willing, to sacrifice the interests of their country to the interests of their religious persuasion? The reason is obvious;—because they were persecuted then, and are not persecuted now. The English Puritans, under Charles I., prevailed on the Scotch to invade England. Do the Protestant Dissenters of our time wish to see the Church put down by an invasion of foreign Calvinists? If not, to what cause are we to attribute the change? Surely to this,—that the Protestant Dissenters are far better treated now than in the seventeenth century. Some of the most illustrious public men that England ever produced, were inclined to take refuge from the tyranny of Laud in North America. Was this because Presbyterians are incapable of loving their country?—But it is idle to multiply instances. Nothing is so offensive to a man who knows any thing of history, or of human nature, as to hear those who exercise the powers of government accuse any sect of foreign attachments. If there be any proposition universally true in politics, it is this, that foreign attachments are the fruit of domestic misrule. It has always been the trick of bigots to make their subjects miserable at home, and then complain that they look for relief abroad;—to divide society, and to wonder that it is not united;—to govern as if a section of the state were the whole, and to censure the other sections of the state for their want of patriotic spirit. If the Jews have not felt towards England like children, it is because she has treated them like a step-mother. There is no feeling which more certainly developes itself in the minds of men living under tolerably good government, than the feeling of patriotism. Since the beginning of the world, there never was any nation, or any large portion of any nation, not cruelly oppressed, which was wholly destitute of that feeling. To make it therefore ground of accusation against a class of men, that they are not patriotic, is the most vulgar legerdemain of sophistry. It is the logic which the wolf employs against the lamb. It is to accuse the mouth of the stream of poisoning the source. It is to put the effect before the cause. It is to vindicate oppression, by pointing at the depravation which oppression has produced.

If the English Jews really felt a deadly hatred to England—if the weekly prayer of their synagogues were, that all the curses denounced by Ezekiel on Tyre and Egypt, might fall on Lon-

don;—if, in their solemn feasts, they called down blessings on those who should dash our children to pieces on the stones, still, we say, their hatred to their countrymen would not be more intense than that which sects of Christians have often borne to each other. But, in fact, the feeling of the Jews is not such. It is precisely what, in the situation in which they are placed, we should expect it to be. They are treated far better than the French Protestants were treated in the sixteenth and seventeenth centuries, or than our Puritans were treated in the time of Laud. They, therefore, have no rancour against the government or against their countrymen. It will not be denied that they are far better affected to the state than the followers of Coligni or Vane. But they are not so well treated as the dissenting sects of Christians are now treated in England; and on this account, and, we firmly believe, on this account alone, they have a more exclusive spirit. Till we have carried the experiment farther, we are not entitled to conclude that they cannot be made Englishmen altogether. The tyrant who punished their fathers for not making bricks without straw, was not more unreasonable than the statesmen who treat them as aliens, and abuse them for not entertaining all the feelings of natives.

Rulers must not be suffered thus to absolve themselves of their solemn responsibility. It does not lie in their mouths to say that a sect is not patriotic:—it is their business to make it patriotic. History and reason clearly indicate the means. The English Jews are, as far as we can see, precisely what our government has made them. They are precisely what any sect,—what any class of men selected on any principle from the community, and treated as they have been treated,—would have been. If all the red-haired people in Europe had, for centuries, been outraged and oppressed, banished from this place, imprisoned in that, deprived of their money, deprived of their teeth, convicted of the most improbable crimes on the feeblest evidence, dragged at horses' tails, hanged, tortured, burned alive,—if, when manners became milder, they had still remained subject to debasing restrictions, and exposed to vulgar insults, locked up in particular streets in some countries, pelted and ducked by the rabble in others, excluded everywhere from magistracies and honours—what would be the patriotism of gentlemen with red hair? And if, under such circumstances, a proposition were made for admitting red-haired men to office, how striking a speech might an eloquent admirer of our old institutions deliver against so revolutionary a measure! 'These men,' he might say, 'scarcely consider themselves as Englishmen. They think a 'red-haired Frenchman or a red-haired German more closely

'connected with them than a man with brown hair born in their 'own parish. If a foreign sovereign patronises red hair, they 'love him better than their own native king. They are not 'Englishmen—they cannot be Englishmen—nature has forbid- 'den it—experience proves it to be impossible. Right to poli- 'tical power they have none; for no man has a right to political 'power. Let them enjoy personal security; let their property 'be under the protection of the law. But if they ask for leave 'to exercise power over a community of which they are only 'half members,—a community, the constitution of which is essen- 'tially dark-haired,—let us answer them in the words of our 'wise ancestors, *Nolumus leges Angliæ mutari.*'

But, it is said, the Scriptures declare that the Jews are to be restored to their own country; and the whole nation looks forward to that restoration. They are, therefore, not so deeply interested as others in the prosperity of England. It is not their home, but merely the place of their sojourn,—the house of their bondage. This argument first appeared, we think, in the *Times* newspaper, and has attracted a degree of attention proportioned rather to the general talent with which that journal is conducted, than to its own intrinsic force. It belongs to a class of sophisms, by which the most hateful persecutions may easily be justified. To charge men with practical consequences which they themselves deny, is disingenuous in controversy,—it is atrocious in government. The doctrine of predestination, in the opinion of many people, tends to make those who hold it utterly immoral. And certainly it would seem that a man who believes his eternal destiny to be already irrevocably fixed, is likely to indulge his passions without restraint, and to neglect his religious duties. If he is an heir of wrath, his exertions must be unavailing. If he is pre-ordained to life, they must be superfluous. But would it be wise to punish every man who holds the higher doctrines of Calvinism, as if he had actually committed all those crimes which we know some of the German anabaptists to have committed? Assuredly not. The fact notoriously is, that there are many Calvinists as moral in their conduct as any Arminian, and many Arminians as loose as any Calvinist.

It is altogether impossible to reason from the opinions which a man professes, to his feelings and his actions; and, in fact, no person is ever such a fool as to reason thus, except when he wants a pretext for persecuting his neighbours. A Christian is commanded, under the strongest sanctions, to do as he would be done by. Yet to how many of the twenty millions of professing Christians in these islands would any man in his senses lend a thousand pounds without security? A man who should

act, for one day, on the supposition that all the people about him were influenced by the religion which they professed, would find himself ruined before night: and no man ever does act on that supposition, in any of the ordinary concerns of life, in borrowing, in lending, in buying, or in selling. But when any of our fellow-creatures are to be oppressed, the case is different. Then we represent those motives which we know to be so feeble for good, as omnipotent for evil. Then we lay to the charge of our victims all the vices and follies to which their doctrines, however remotely, seem to tend. We forget that the same weakness, the same laxity, the same disposition to prefer the present to the future, which make men worse than a good religion, make them better than a bad one.

It was in this way that our ancestors reasoned, and that some people in our own time still reason, about the Catholics. A Papist believes himself bound in duty to obey the pope. The pope has issued a bull deposing Queen Elizabeth; therefore every Papist will treat her grace as an usurper; therefore every Papist is a traitor; therefore every Papist ought to be hanged, drawn, and quartered. To this logic we owe some of the most hateful laws that ever disgraced our history. Surely the answer lies on the surface. The Church of Rome may have commanded these men to treat the queen as an usurper. But she has commanded them to do many things which they have never done. She enjoins the priests to observe strict purity. You are always taunting them with their licentiousness. She commands all her followers to fast often, to be charitable to the poor, to take no interest for money, to fight no duels, to see no plays. Do they obey these injunctions? If it be the fact, that very few of them strictly observe her precepts when her precepts are opposed to their passions and interests, may not loyalty, may not humanity, may not the love of ease, may not the fear of death, be sufficient to prevent them from executing those wicked orders which she has issued against the sovereign of England? When we know that many of these people do not care enough for their religion to go without beef on a Friday for it, why should we think that they will run the risk of being racked and hanged for it?

People are now reasoning about the Jews, as our fathers reasoned about the Papists. The law which is inscribed on the walls of the synagogues prohibits covetousness. But if we were to say that a Jew mortgagee would not foreclose, because God had commanded him not to covet his neighbour's house, every body would think us out of our wits. Yet it passes for an argument, to say, that a Jew will take no interest in the prosperity of the country in which he lives, that he will not care how bad its laws

and police may be—how heavily it may be taxed—how often it may be conquered and given up to spoil,—because God has pronounced that by some unknown means, and at some undetermined time, perhaps a thousand years hence, the Jews shall migrate to Palestine. Is not this the most profound ignorance of human nature? Do we not know, that what is remote and indefinite, affects men far less than what is near and certain? Besides, the argument applies to Christians as strongly as to Jews. The Christian believes, as well as the Jew, that at some future period the present order of things will come to an end. Nay, many Christians believe that the Messiah will shortly establish a kingdom on the earth, and reign visibly over all its inhabitants. Whether this doctrine be orthodox or not, we shall not here enquire. The number of people who hold it, is very much greater than the number of Jews residing in England. Many of those who hold it, are distinguished by rank, wealth, and talent. It is preached from pulpits, both of the Scottish and of the English Church. Noblemen, and members of parliament, have written in defence of it. Now, wherein does this doctrine differ, as far as its political tendency is concerned, from the doctrine of the Jews? If a Jew is unfit to legislate for us, because he believes that he or his remote descendants will be removed to Palestine, can we safely open the House of Commons to a fifth-monarchy-man, who expects that, before this generation shall pass away, all the kingdoms of the earth will be swallowed up in one divine empire?

Does a Jew engage less eagerly than a Christian in any competition which the law leaves open to him? Is he less active and regular in business than his neighbours? Does he furnish his house meanly, because he is a pilgrim and sojourner in the land? Does the expectation of being restored to the country of his fathers render him insensible to the fluctuations of the stock-exchange? Does he, in arranging his private affairs, ever take into the account the chance of his returning to Palestine? If not, why are we to suppose that feelings which never influence his dealings as a merchant, or his dispositions as a testator, will acquire a boundless influence over him as soon as he becomes a magistrate or a legislator?

There is another argument which we would not willingly treat with levity, and which yet we scarcely know how to treat seriously. The Scriptures, it is said, are full of terrible denunciations against the Jews. It is foretold that they are to be wanderers. Is it then right to give them a home? It is foretold that they are to be oppressed. Can we with propriety suffer them to

be rulers? To admit them to the rights of citizens, is manifestly to insult the Divine oracles.

We allow, that to falsify a prophecy inspired by Divine Wisdom, would be a most atrocious crime. It is, therefore, a happy circumstance for our frail species, that it is a crime which no man can possibly commit. If we admit the Jews to seats in Parliament, we shall, by so doing, prove that the prophecies in question, whatever they may mean, do not mean that the Jews shall be excluded from Parliament.

In fact, it is already clear, that the prophecies do not bear the meaning put upon them by the respectable persons whom we are now answering. In France, and in the United States, the Jews are already admitted to all the rights of citizens. A prophecy, therefore, which should mean that the Jews would never, during the course of their wanderings, be admitted to all the rights of citizens in the places of their sojourn, would be a false prophecy. This, therefore, is not the meaning of the prophecies of Scripture.

But we protest altogether against the practice of confounding prophecy with precept,—of setting up predictions which are often obscure against a morality which is always clear. If actions are to be considered as just and good, merely because they have been predicted, what action was ever more laudable than that crime which our bigots are now, at the end of eighteen centuries, urging us to avenge on the Jews,—that crime which made the earth shake, and blotted out the sun from heaven? The same reasoning which is now employed to vindicate the disabilities imposed on our Hebrew countrymen, will equally vindicate the kiss of Judas and the judgment of Pilate. 'The Son of man goeth, as 'it is written of him; but woe to that man by whom the Son of 'man is betrayed.' And woe to those who, in any age or in any country, disobey his benevolent commands under pretence of accomplishing his predictions. If this argument justifies the laws now existing against the Jews, it justifies equally all the cruelties which have ever been committed against them,—the sweeping edicts of banishment and confiscation, the dungeon, the rack, and the slow fire. How can we excuse ourselves for leaving property to people who are to 'serve their enemies in hunger, 'and in thirst, and in nakedness, and in want of all things,'—for giving protection to the persons of those who are to 'fear 'day and night, and to have none assurance of their life,'—for not seizing on the children of men whose 'sons and daughters 'are to be given unto another people?'

We have not so learned the doctrines of Him who commanded us to love our neighbour as ourselves, and who, when He was called upon to explain what He meant by a neighbour, selected

as an example a heretic and an alien. Last year, we remember, it was represented by a pious writer in the *John Bull* newspaper, and by some other equally fervid Christians, as a monstrous indecency, that the measure for the relief of the Jews should be brought forward in Passion week. One of these humourists ironically recommended that it should be read a second time on Good Friday. We should have had no objection; nor do we believe that the day could be commemorated in a more worthy manner. We know of no day fitter for terminating long hostilities, and repairing cruel wrongs, than the day on which the religion of mercy was founded. We know of no day fitter for blotting out from the statute-book the last traces of intolerance, than the day on which the spirit of intolerance produced the foulest of all judicial murders; the day on which the list of the victims of intolerance, that noble list in which Socrates and More are enrolled, was glorified by a yet more awful and sacred name.

ART. V.—*A Comparative View of the Social Life of England and France, from the Restoration of Charles the Second to the French Revolution.* By the Editor of Madame du Deffand's Letters. 8vo. London: 1828.

THE French and the English can no longer be accused of that mutual contempt which furnishes the preliminary ground of remark to the writer of the agreeable work before us. After a jealousy of eight hundred years, we have begun to conquer our prejudices and recant our opinions; and we are now contented to glean from the customs and manners of our neighbours, benefits somewhat more important than the innovations in caps, or the improvements in cookery, which formed pretty nearly the limit of that portion of our forefathers' ambition, which was devoted to the imitation of 'our hereditary foes.' Late events have put the finishing stroke to popular prejudice; and we have now, of two extremes, rather to guard against the desire blindly to copy, than the resolution zealously to contemn. Those national sentiments, 'grave, with a bright disdain,' of *Monsieur* and *soupe maigre*, which give so patriotic a character to the British Theatre, never more will awaken a sympathizing gallery to

'The loud collision of applauding *hands*.'

But the character of the people, and the spirit of society, in the two countries are still, in many respects, remarkably differ-

ent. When a French mob are excited, they clamour for glory—when an English mob are inclined to be riotous, they are thirsty for beer. At a contested election, the feelings of the working classes must necessarily be strongly excited. The harangues to their understandings—the addresses to their interests—the artifices for their affections—the congregating together—the conference—the discussion—the dispute—the spirit of party,—these, if any emotions, might well be supposed to call forth the man from himself, to excite, to their inmost depth, his generous as well as angry sympathies, and, warming him from all selfish considerations, to hurry him into even a blind and rash devotion for the cause he adopts, and a disdain, which no lure can soften, for that which he opposes. And so, indeed, to the uninitiated spectator it may appear; but how generally is that noisy ardour the result of a purchase—how many, in such a time and in such scenes, will grow inebriate on the hospitality of one, with the intention of voting for another—how large the number of those to whom you speak of retrenchment and reform, who remain unmoved till the bribe is hinted, and the vote, callous to the principles, is suborned by the purse! When, in the late general election, a patriotic adventurer was engaged in attempting to open (as the phrase is) a close borough, one of his most strenuous supporters, declaiming on the vileness of the few privileged voters in receiving thirty pounds each for their votes, added, with the air of a man of delicate conscience,—'But if you open the borough, sir, we 'will do it for five!'

But leaving, for the present, the graver discussions connected with the effects of our civil institutions, it is our intention to make a few observations on that Spirit of Society, which is formed among the higher classes, and imitated among those possessing less aristocratical distinction.

The great distinction of *fashion* in France, as it was—and in England, as it is—we consider to be this. In the former country the natural advantages were affected, in the latter we covet the acquired. There the aspirants to fashion pretended to wit—here they pretend to wealth. In this country, from causes sufficiently obvious, social reputation has long been measured by the extent of a rent-roll; respectability has been another word for money; and the point on which competitors have been the most anxious to vie with each other, has been that exact point in which personal merit can have the least possible weight in the competition. The ambition of the French gallant, if devoted to a frivolous object, was at least more calculated to impress society with a

graceful and gay tone than the inactive and unrelieved ostentation of the English pretender. And those circles to which a *bon mot* was the passport, could scarcely fail to be more agreeable than circles, in which, to be the most courted, it is sufficient to be the first-born. A Frenchman had, at least, one intellectual incentive to his social ambition;—to obtain access to the most fashionable, was to obtain access to the most pleasant, the most witty circles in his capital. But to enjoy the most difficult society of London, is to partake of the insipidity of a decorated and silent crowd, or the mere sensual gratification of a costly dinner.

To give acerbity to the tone of our fashion—while it is far from increasing its refinement—there is a sort of negative opposition made by the titled aristocrats to that order, from which it must be allowed the majority have sprung themselves. Descended, for the most part, from the unpedigreed rich, they affect to preserve from that class, circles exclusive and impassable. Fashion to their heaven is like the lotus to Mahomet's; it is at once the ornament and the barrier. To the opulent, who command power, they pretend, while worshipping opulence, to deny *ton:* a generation passes, and the proscribed class have become the exclusive. 'Si le financier manque son 'coup, les courtisans disent de lui,—c'est un bourgeois, un 'homme de rien, un malôtru: S'il réussit, ils lui demandent 'sa fille.'* This mock contest, in which riches ultimately triumph, encourages the rich to a field in which they are ridiculous till they conquer; and makes the one race servile, that the race succeeding may earn the privilege to be insolent. If the merchant or the banker has the sense to prefer the station in which he is respectable, to attempting success in one that destroys his real eminence, while it apes a shadowy distinction, his wife, his daughters, his son in the Guards, are not often so wise. If one class of the great remain aloof, another class are sought, partly to defy, and partly to decoy;—and ruinous entertainments are given, not for the sake of pleasure, but with a prospective yearning to the columns of the *Morning Post.* They do not relieve dulness, but they render it pompous; and instead of suffering wealth to be the commander of enjoyment, they render it the slave to a vanity, that, of all the species of that unquiet passion, is the most susceptible to pain. Circles there are in London, in which to be admitted is to be

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* *Les Caractères de* La Bruyere.

pleased and to admire; but those circles are composed of persons above the fashion, or aloof from it. Of those where that tawdry deity presides, would it be extravagant to say that existence is a course of strife, subserviency, hypocrisy, meanness, ingratitude, insolence, and mortification; and that to judge of the motives which urge to such a life, we have only to imagine the wish to be everywhere in the pursuit of nothings?

Fashion in this country is also distinguished from her sister in France, by our want of social enthusiasm for genius. It showed, not the power of appreciating his talents, but a capacity for admiring the more exalted order of talents, (which we will take leave to say is far from a ridiculous trait in national character,) that the silent and inelegant Hume was yet in high request in the brilliant coteries of Paris. In England, the enthusiasm is for distinction of a more sounding kind. Were a great author to arrive in London, he might certainly be neglected; but a petty prince could not fail of being eagerly courted. A man of that species of genius which amuses—not exalts—might indeed create a momentary sensation. The oracle of science—the discoverer of truth, might be occasionally asked to the *soirées* of some noble Mæcenas; but every drawing-room, for one season at least, would be thrown open to the new actress, or the imported musician. Such is the natural order of things in our wealthy aristocracy, among whom there can be as little sympathy with those who instruct, as there must be gratitude to those who entertain, till the entertainment has become the prey of satiety, and the hobbyhorse of the new season replaces the rattle of the last.

Here, we cannot but feel the necessity of subjecting our gallantry to our reason, and enquiring how far the indifference to what is great, and the passion for what is frivolous, may be occasioned by the present tone of that influence which women necessarily exercise in this country, as in all modern civilized communities. Whoever is disposed to give accurate attention to the constitution of fashion, (which fashion in the higher classes is, in other words, the spirit of society,) must at once perceive how largely that fashion is formed, and how absolutely it is governed, by the gentler sex. Our fashion may indeed be considered the aggregate of the opinions of our women. In order to account for the tone that fashion receives, we have but to enquire into the education bestowed upon women. Have we, then, instilled into them those public principles, (as well as private accomplishments,) which are calculated to ennoble opinion, and to furnish their own peculiar inducements of reward to a solid and lofty merit in the opposite sex? Our women are divided into two classes—the domestic and the dissipated. The latter

employ their lives in the pettiest intrigues, or at best, in a round of vanities that usurp the name of amusements. Women of the highest rank alone take much immediate share in politics; and that share, it must be confessed, brings any thing but advantage to the state. No one will assert that these soft aspirants have any ardour for the public—any sympathy with measures that are pure and unselfish. No one will deny that they are the first to laugh at principles, which, it is but just to say, the education we have given them precludes them from comprehending,—and to excite the parental emotions of the husband, by reminding him that the advancement of his sons requires interest with the Minister. The domestic class of women are not now, we suspect, so numerous as they have been esteemed by speculators on our national character. We grant their merits at once; and we enquire if the essence of these merits be not made to consist in the very refraining from an attempt to influence public opinion,—in the very ignorance of all virtues connected with the community;—if we shall not be told that the proper sphere of woman is private life, and the proper limit to her virtues, the private affections. Now, were it true that women did not influence public opinion, we should be silent on the subject, and subscribe to all those charming commonplaces on retiring modesty and household attractions, that we have so long been accustomed to read and hear. But we hold, that feminine influence, however secret, is unavoidably great; and, owing to this lauded ignorance of public matters, we hold it also to be unavoidably corrupt. It is clear that women of the class we speak of, attaching an implied blame to the exercise of the reasoning faculty, are necessarily the reservoir of unexamined opinions and established prejudices,—that those opinions and prejudices colour the education they give to their children, and the advice they bestow upon their husbands. We allow them to be the soothing companion and the tender nurse—(these are admirable merits—these are all their own)—but, in an hour of wavering between principle and interest, on which side would their influence lie?—would they inculcate the shame of a pension, or the glory of a sacrifice to the public interest? On the contrary, how often has the worldly tenderness of the mother been the secret cause of the tarnished character and venal vote of the husband; or, to come to a pettier source of emotion, how often has a wound, or an artful pampering, to some feminine vanity, led to the renunciation of one party advocating honest measures, or the adherence to another subsisting upon courtly intrigues! In more limited circles, how vast that influence in forming the national character, which you would deny because it is secret!—how evident a proof of the influence of those whose

minds you will not enlarge, in that living which exceeds means, —so pre-eminently English—so wretched in its consequences—so paltry in its object! Who shall say that the whole comfortless, senseless, heartless system of ostentation which pervades society, has no cause—not in women, if you like—but in the education we give them?

We are far from wishing that women, of what rank soever, should intermeddle with party politics, or covet the feverish notoriety of state intrigues, any more than we wish they should possess the universal genius ascribed to Lady Anne Clifford by Dr Donne, and be able to argue on all subjects, 'from pre-'destination to slea silk.' We are far from desiring them to neglect one domestic duty, or one household tie; but we say—for women as for men—there is no sound or true morality, where there is no knowledge of—no devotion to—public virtue. In the education women receive, we would enlarge their ideas to the comprehension of political integrity; and in the variety of events with which life tries the honesty of men, we would leave to those principles we have inculcated—unpolluted as they would be by the close contagion of party—undisturbed by the heat and riot of action—that calm influence, which could then scarcely fail to be as felicitous and just as we deem it now not unoften unhappy and dishonouring. But of all the inducements to female artifice and ambition, our peculiar custom of selling our daughters to the best advantage is the most universal. We are a match-making nation. The system in France, and formerly existent in this country, of betrothing children, had at least with us one good effect among many bad. If unfriendly to chastity in France, it does not appear to have produced so pernicious an effect in England; but while it did not impair the endearments of domestic life, it rendered women less professionally hollow and designing at that period of life when love ceases to encourage deceit; it did not absorb their acutest faculties in a game in which there is no less hypocrisy requisite than in the amours of a Dorimont or a Belinda—but without the excuse of the affections. While this custom increases the insincerity of our social life, it is obvious that it must re-act also on its dulness; for wealth and rank being the objects sought, are the objects courted; and thus, another reason is given for crowding our circles with important stolidity, and weeding them of persons poor enough to be agreeable—and because agreeable—dangerous and unwelcome.

Would we wish, then, the influence of women to be less? We will evade the insidious question—We wish it to be differently directed. By contracting their minds, we weaken ourselves;

by cramping their morality, we ruin our own; as we ennoble their motives, society will rise to a loftier tone—and even Fashion herself may be made to reward glory as well as frivolity. Nay, we shall not even be astonished if it ultimately encourages, with some portion of celebrity and enthusiasm, the man who has refused a bribe, or conferred some great benefit on his country, as well as the idol of Crockford's, or the heir to a dukedom.

It is somewhat remarkable, that that power of ridicule so generally cultivated as a science in France, has scarcely exercised over the tone of feeling in that country so repressing an influence as it has among ourselves. It never destroyed in the French the love of theatrical effect; and even in the prevalence of those heartless manners formed under the old *régime*, it never deterred them from avowing romantic feeling, if uttered in courtly language. Nay, it was never quite out of fashion to affect a gallant sentiment, or a generous emotion; and the lofty verse of Corneille was echoed with enthusiasm by the courtiers of a Bourbon, and the friends of a Pompadour. But here, a certain measured and cold demeanour has been too often coupled with the disposition to sneer not only at expressions that are exaggerated, but at sentiments that are noble. Profligacy in action surprises, shocks, less than the profession of exalted motives, uttered in conversation, when, as a witty orator observed, 'the reporters are shut out, and there is no occasion "to hum-'bug."' We confess that we think it a bad sign when lofty notions are readily condemned as bombast, and when a nation not much addicted to levity, or even liveliness, is, above all others, inclined to ridicule the bias to magnify and exalt. A shoeblack of twelve years old, plying his trade by the Champs Elysées, was struck by a shoeblack four years younger. He was about to return the blow—an old fruitwoman arrested his arm, exclaiming—'Have you then no greatness of soul!' Nothing could be more bombastic than the reproof. Granted. But who shall say how far such bombast influenced the magnanimity of the labouring classes in that late event, which was no less a revolution in France, than the triumph of the human species? Exaggeration of sentiment can rarely, as a national trait, be dangerous. With men of sense it unavoidably settles into greatness of mind; but moral debasement,—a sneer for what is high,—a disbelief of what is good, is the very worst symptom a people can display.

The influence which it is the natural province of the Drama to exert towards the exalting the standard of sentiment and opinion, is not, at this time, it will readily be allowed, very

efficacious in counterbalancing the worldly and vulgar tendency to degrade. Tragedy sleeps side by side with the Epic; and the loftier shapes of Comedy have dwindled into Farce, that most dwarfish imp of all the varieties of dramatic humour. The stage seems even to have relinquished the most common, though not the least moral, of its prerogatives, viz. to hold the mirror to existing customs, and to correct folly by exhibiting it. We question, indeed, whether that power has ever been largely exercised—whether the drama has ever visibly and truly bodied forth the image of the times—since the plastic and unappreciated genius of Jonson adapted his various knowledge of the past to a portraiture of his own period, even too individual and exact. The Restoration—so pernicious for the most part to what was most excellent in political truths—was little more favourable to whatsoever was noble in the provinces of literary fiction. The stage was lowered to clumsy and graceless imitations from the French, and reflected the grossness and vice of the court—not the manners or morals of that people over whom the contagion of the court was far from extensive. Seeking its food from a form of society, artificial alike in its vices and its customs, the Comedy of that day, despite its lavish and redundant wit, rarely touched upon a single chord dedicated to simplicity or nature. And to believe that the literary Aretins—the dramatizing Don Raphaels of the Restoration—represented or influenced their age, were to believe that they found, or made, the countrymen of Vane and Bradshaw, of Falkland and of Derby, a community of sharpers rioting in a metropolis of brothels. The remarkable contrast that the delicate and somewhat emasculate refinement of the celebrated Periodicals in the reign of Anne, present to the indecency even then characteristic of the stage, and the universal and instantaneous impression they produced—so far deeper than that created by any of the licentious comedies of the day—will be quite sufficient to convince those who remember that the brilliancy and rapidity of literary success are proportioned to the exactness with which the literary effort accords with some popular train of feeling deeply felt, but not hitherto commonly expressed, that the stage did not, at that period, represent the manners of the contemporaries of Addison much more faithfully than, in the preceding times, it had reflected the tone of feeling common to the contemporaries of Russell and Sidney. Coming to a period nearer the present, it can scarcely be asserted that even the exquisite humour of Goldsmith, or still less the artificial and exuberant wit of Sheridan, were exercised in giving a very peculiar and marked representation of

their times; whatever they might effect in exhibiting certain aspects of society, as common in one nation of Europe as another. Since the masterpieces of their genius, the attempt to show 'the form and pressure of the age' has not been made with any tolerable success. And should any novelty (not arising from the claims of the *actor*) now attract to the theatre—we must thank Germany for a superstition—France for a farce—Siam for an elephant—or England for a scene. The influence attributed of old to the stage, has passed into new directions: Novels represent manners, and Periodicals opinions. The higher, the more abstruse, the more extended branches of morals, are but slightly and feebly cultivated. Thus, little of general influence is left to that part of literature which *teaches*—save what may be exercised by publications adapted to the immediate necessity, prejudice, or caprice of the times, and by cheap works addressed to the people,—elementary, if intended for their understanding—declamatory, if for their passions.

It would be a matter of speculation deserving a larger notice than we can afford it here, to enquire how far our national literature is influenced by the place which our literary men hold in society. That men of letters do not enjoy in England their legitimate and proper rank, is a common and trite complaint. There is, doubtless, something equivocal in their station. An English author of but moderate eminence at home, is often astonished at the respect paid to him abroad. Political power—the chief object of desire with us—leaves to that direction of intellect which does not command it, but a moderate and lukewarm homage. Fashion may indeed invest the new author with a momentary eclat; but the 'lion' loses his novelty, and the author ceases to be courted. We recollect to have heard one of the most brilliant and successful writers of the day exclaim, that he would rather, for the gratification of social vanity, be a dull, but officious, member of Parliament, than enjoy his own high and popular reputation as an author. The vanity of authors is not, then, confined to their profession, which does not bring them a reward sufficiently palpable and present. Led, like the rest of their countrymen, by the rage of fashion, they long for the reputation of being admitted to brilliant society, rather than the consideration accorded to them in literary circles. One effect, at least, not favourable to the higher and purer branches of composition, is produced by this uneasiness and yearning. Straining for the effect, the glitter, or the novelty that will render them 'the fashion,' they give to literature a feverish and exaggerated cast. They grasp at the humour, sometimes the frivolity, of the moment, and endeavour to hurry the serene

and dignified glories of literature into a succession of 'lucky 'hits.' Two other effects noticeable, we think, among English men of letters, may be derived from the same cause. First, the want of that social brilliancy which is generally the characteristic of a Frenchman eminent in literature. When one of our most popular moralists observed, 'that he never knew a 'man of sense a general favourite,' he uttered a sentiment peculiarly adapted to charm the English. In France every man of sense would have aspired to be a general favourite, and every man of literary distinction might have won easily enough to that ambition. But here intellect alone does not produce fashion, and the author, failing to attain it, affects the privilege of railing, and the right to be disappointed. This dissatisfaction at the place destined to the nature of his exertions—this consciousness of enjoying neither that station of honour, nor that method of being honoured, which he has been taught to covet—is almost necessarily destructive to the self-confidence and self-complacency, without which no man makes a great proficiency in the graces of society, or the courageous profession of a wit. The second effect, produced by the desire to shine in other circles than their own, is, we think, visible in the scattered and desultory manner with which our literary men encounter each other; they do not herd closely together. There is not among them that intimate knot and union which was, and is, characteristic of the authors and *beaux esprits* of Paris, and produces so remarkable an influence on their works,—giving to their philosophy the graces of animated conversation, and colouring their style with that air of life, and fulness of *worldly* knowledge, which, whatever be the changes and caprices of their literature, invariably remain, sometimes the staple, and almost always the predominant characteristic. When Helvetius produced that celebrated work, so rich in anecdote, illustration, and isolated brilliancies of remark, he was accused of merely collecting, and forming into a whole, the opinions current in the circles with which he mixed every day. It would be somewhat difficult for an English philosopher to subject himself, with any semblance of justice, to a similar accusation.

It would be a little unjust to quit our subject without saying any thing upon what we consider improvements in the condition of society; the more especially, as some points, that appear to us worthy of praise, have been the subject of vulgar complaint. We hear, for instance, much pathetic lamentation on the decline of country hospitality, at a time when that 'first cousin to a 'virtue' seems more deserving of commendation than at any period referred to by its detractors.

In what did the hospitality of the last century consist? An interchange of dinner visits between country neighbours,—a journey some half a dozen miles over wretched roads, and a return home some eight hours afterwards, with the footman drunk, the coachman more drunk, and the master most drunk. Hospitality, in a word, was, a profusion of port-wine; and the host welcomed his friends by ruining their constitutions. Houses, much less conveniently arranged than at present, were not often capable of affording accommodation, for days together, to visitors from a distance. Few, comparatively speaking, were the guests who found their way from the metropolis to these rustic receptacles of Silenus; and the strangers were then stared at for their novelty, or ridiculed for their refinement—oracles to the silly, and butts to the brutal. What an improvement in the present tone of country hospitality! Instead of solemn celebrations of inebriety—instead of jolting at one hour through the vilest of lanes, to return at another from the most senseless of revels,—improved roads facilitate the visits of neighbours, improved houses accommodate a greater number of guests, and an improved hospitality gives to both a welcome reception, without endangering their health or making war on their reason. The visitors are more numerous; the victims less. To give a dinner, or to receive a gentleman from London, are not the events in a squire's life that they were in the last century. At stated periods of the year the house is filled with persons who can be cultivated as well as manly; and improvements in opinions are thus circulated throughout the country, as well as improvements in gun-locks.

So far, indeed, from the tone of society in the country being, as formerly, considerably below that in the metropolis, it is now perhaps more graceful and courteous. The host, dissatisfied with his station in London, beholds his acres and his hall, rises into a great man in his province, and, content with the tokens of his own consequence, naturally grows complaisant to others. The petty vying and the paltry cringing are no longer necessary—the heartburn of fashion ceases—there is no compromise of comfort and nature for the attainment of wearisome and artificial objects; even the coldness, the distraction, and the formality incident to London coteries, subside with the causes; and that tone of general equality which the most courtly circles can alone establish in a capital, becomes the easy and natural characteristic of the manners in a country mansion.

Another main feature in the aspect of society is the improvement and multiplicity of Clubs. That the luxuries of these houses render husbands less domestic, and impart to sons notions dis-

proportionate to their fortune, have been made very common and vulgar grounds of attack. With regard to the first, we will own frankly that that mere animal habit which would confine men to the narrow circle of their firesides, and render it a misdemeanour to seek rational intercourse abroad, might, we think, be lessened, without operating in any way to the disadvantage of society. But, in fact, so rigid a domesticalness exists little among the classes for which clubs are as yet chiefly instituted. We fear that at those witching hours of night, in which the gentleman is at his club, the lady and her daughter, so far from deploring his absence at home, are enjoying themselves at the ball or the *soirée*. The latter charge is equally ridiculous. That all men are not rich enough to enjoy a good house, airy rooms, new publications, the constant society of their acquaintances, and the decent pleasures of the table, is a grievance very much to be lamented; but that when men can obtain these advantages without being rich, there should be any harm in enjoying them, because they are not rich; or that they should be more discontented with a small room, because they have the power of quitting it for a large room whenever they please, are notions in metaphysics with which we cannot agree. Besides, while the principle of a club is economy, its temptations are not those of extravagance; while a young man is enabled by its organization to save half his income, he meets there little that could allure him to spend the other half. The more attached he becomes to the quiet and orderly habits of a club life, the less he will feel inclined towards the expenses of that dissipation to which the routine of a club life is so opposed. A third objection, sometimes urged against clubs, would be serious indeed, were it generally founded in truth, viz. the custom of gaming. But gaming is not practised in the great majority of clubs, especially those lately established. In the few notorious for the support of that vice, the usual advantages of a club, viz. economy, the facility of intellectual conversation, &c., are not found; they are gaming-houses, in a word, with a more specious name; and we willingly surrender them, without a word of defence, to the indignation of their impugners.

The increase of clubs we think favourable to the growth of public principle. By the habits of constant intercourse, truths circulate, and prejudices are frittered away. 'Nothing,' observes that great writer,* in whom we scarcely know which to admire the most, the brilliant imagination, or the quiet rationality—'nothing more contributes to maintain our common sense 'than living in the universal way with multitudes of men;' and,

* Goethe.

let us add, that it not only maintains our common sense, but diminishes the selfishness of our motives. In the close circle of private life, public matters are rarely and coldly discussed. In public, they form the chief topic; and made interesting, first as the staple of conversation, they assume, at length, an interest and a fascination in themselves.

We cannot quit our subject without adverting to that tone of consideration and respect towards the great bulk of the people, which especially characterises the present time, and was almost a stranger to the past. Even in the ancient democracies, in which the flattery of the people was the science of power,—even among the later Paladins of Chivalry,—'rough 'to the haughty, but gentle to the low'—mirrors not less of courtesy than valour—the tone alike of literature and philosophy breathes with a high contempt for the emotions and opinions of the vulgar. Among the Greeks—the crowd—the herd—the people—their fickleness—their violence—their ingratitude, furnished the favourite matter to scornful maxims and lordly apophthegms. Taking their follies and their vices as the common subject for notice, where do we find their virtues panegyrized, or their characters dispassionately examined? And in the models of chivalry, the 'doffing to the low' was but the insult of condescension; the humble were not to be insulted, because they were not to be feared. But the instant the aspirer of plebeian birth attempted to rise against the decrees of fortune, the instant he affected honour or distinction, he was 'audacious 'varlet,' and 'presuming caitiff.' The tender and accomplished author of the *Arcadia*, that noble work in which Chivalry appears in its most romantic and lovely shape, evidently esteems it the proof of a thoughtful and lofty mind, to disdain the multitude, and rise beyond a regard for their opinion. Were it not something profane to accuse so glorious a benefactor as Shakspeare of any offence, it might, perhaps, be justly observed, that while his works abound with pithy sarcasms on the foibles of the common people, they have never brought into a strong light their nobler qualities; even the virtues accorded them are the mere virtues of servants, and rarely aspire beyond fidelity to a master in misfortune. While, in his mighty page, the just and impartial mirror has been held to almost every human secret of character among the higher and middle classes of life, how little have the motives and conduct of the great mass (beyond what are contemptible) been sifted and examined; how many opportunities* of displaying their firmness, their fortitude, their

* In the Historical Plays.

resistance to oppression, of sympathizing with their misfortunes and their wrongs, have been passed over in silence, or devoted rather to satire than to praise! But not now, thank God, is it the mode, the cant, to affect a disdain of the vast majority of our fellow-creatures,—an unthinking scorn for their opinions or pursuits: the philosophy of past times confused itself with indifference; the philosophy of the present rather seeks to be associated with philanthropy.

It may be worth while to some future enquirer to ascertain, what share of the general disposition to which we refer may be attributed to writers now little remembered, and, in their own time, not unjustly condemned. It is the glorious doom of literature, that the evil perishes and the good remains. Even when the original author of some healthy and useful truth is forgotten, the truth survives, transplanted to works more calculated to purify it from error, and perpetuate it to our benefit. Nor can we tell how much we now owe of the tendency to enlighten and consult the people—how much of broad and rational opinion—to certain heated and vague enthusiasts of the last century. Time has consigned to oblivion the wild theories and the licentious morals that clouded, in their works, the temper towards benevolence and the desire of freedom. But time has ripened what was no less the characteristic of their writings—a disposition to unrobe the 'solemn plausibilities' that hid their interests from the people; to reduce to its just estimate the value of military glory; to direct analysis to the end and nature of governments, and to consider above the rest those classes of society hitherto the most contemned. Amidst the tumults and portents of the time, we hail this disposition as the best safeguard to one order, and the surest augury to the other; in proportion as it increases, society triumphs against whatever may oppose its welfare in prejudice or in custom; reform becomes at once tranquil and universal; the necessity of revolutions is superseded, and what once was enforced by violence, is effected by opinion.

Meanwhile, in whatsoever channels may be open to the honest ambition of literature, we trust that those who have the power to influence the bias of popular sentiment, will inculcate what has too long been the subject of jest or incredulity, viz. the glory of promoting public interests; and the necessity, in order to bring virtue from the Hearth to the Forum, of calling forth from their present obscurity and neglect those rewards to exertion, which confer, if they be but rightly considered, a deeper respect than wealth, and an honour more lofty than titles.

ART. VI.—*Essays on the Pursuit of Truth, on the Progress of Knowledge, and on the Fundamental Principle of all Evidence and Expectation.* 8vo. London: 1829.

Of the three treatises contained in the volume whose title-page we have prefixed, lately published by the ingenious author of the essays on *The Formation and Publication of Opinions*, our present concern is only with the last. There is no reason to doubt that the author's single object is that which he professes—'the establishment of truth in a momentous and 'difficult sphere of enquiry.' The principles of the argument may also have been as 'maturely considered' as they are plainly laid down. It will not, however, follow, as a matter of course, when they come to be applied to the 'elucidation of doctrines 'hitherto obscurely understood, and to the determination of 'controversies long vainly agitated,' that their refutation, if erroneous, has been thus rendered 'an easy task.' The subject is one which, however clearly treated, scarcely admits of being disposed of with facility. After premising a few remarks on the history and revival of the theory, as now proposed for our acceptance, we shall limit our criticism, in order that it may have the better chance of being intelligible, to a single point.

It is fully acknowledged, that former writers have sufficiently established, as the very basis of expectation, the metaphysical truth, that, with reference to the future, man unavoidably assumes, that every cause will continue to produce the same effects with which it has been hitherto attended. But there is an apparent claim to novelty in the retrospective application of the principle to past events, and of its use, both in determining the controversy of philosophical necessity, and in defining the legitimate bounds of testimony, which we do not exactly comprehend. Dr Thomas Brown is alone excepted from the remark, that philosophers have noticed only casually 'the truth, that in 'reasoning on events which *have* taken place, we necessarily 'assume the past uniformity of causation;' and it is added, 'that in no instance do they appear to have been aware of the 'consequences to which it ultimately leads.'

Now, on the contrary, if we understand at all Hume's three chapters on the idea of necessary connexion, on liberty and necessity, and on miracles, they have anticipated the present essay, not in the principle, but in these very applications. To confine ourselves to the case of miracles. Hume's argument against the possible proof of them by testimony trode in the self

same steps. 'It being a general maxim,' says the present author, 'that no objects have any discoverable connexion together, and 'that all the inferences which we can draw from one to another 'are founded merely on our experience of their constant and 'regular conjunction; it is evident, that we ought not to make 'an exception to this maxim in favour of human testimony, whose 'connexion with any event seems in itself as little necessary as in 'any other.' (P. 116.)—'It is experience only which gives autho-'rity to human testimony; and it is the same experience which 'assures us of the laws of nature. When, therefore, these two 'kinds of experience are contrary, we have nothing to do but 'subtract the one from the other, and embrace an opinion, either 'on one side or the other, with that assurance which arises from 'the remainder. But according to the principle here explained, 'this subtraction, with regard to all popular religions, amounts 'to an entire annihilation; and therefore we may establish it 'as a maxim, that no human testimony can have such force as 'to prove a miracle, and make it a just foundation for any 'such system of religion.' (P. 131.) The whole argument, of which these observations form the premises and the conclusion, indisputably involves both the physical truth, that the same causes produce the same effects;—and the mental fact, that we always take for granted this uniformity in the operation of causes. The intermediate train of reasoning supposes that there is no difference in this respect between the course pursued in judging of human testimony and of physical events; except that the sequences of cause and effect, in the material world, are so simple, that our greater certainty of knowledge enables us, in the case of physical events, to trace the uniformity of causation with a degree of assurance which, in the case of human testimony, (depending as it does on mental phenomena and voluntary actions,) the uncertainty of our knowledge never can acquire. Subject to this difference, the uniformity of causation is the ground of our belief in both cases. Consequently, if we take an instance, where human assertions professedly imply a deviation from the uniform succession of physical causes and effects, we immediately thereby raise a direct opposition between the nature of the evidence, and the nature of the fact which the evidence is to establish. In such a case, the reception of the evidence implicates us in an inconsistency and a contradiction—being nothing less than the maintaining, on the ground of uniformity of causation, the competency of testimony to prove a fact which implies a deviation from that uniformity. What is worse, it amounts even to the unreasonableness of giving the less certain degree of knowledge the precedence over the more certain.

The above passages, which appear to us to be strictly accordant in reasoning, and closely approximating in expression, to the treatises of Hume, are a summary of the language of our author. More ingenuous than Hume, he lets his conclusions run their length. He takes no distinction between the proof of events, really miraculous, on account of their being contrary to experience, and events (like the account of frost given to the King of Siam) which are marvellous only from their being not conformable to the constant and uniform experience of the person to whom they are related. Still less does he adopt that singular limitation, by which Hume confines his maxim, that no human testimony can have such force as to prove a miracle, to the single occasion of its being advanced as the foundation of a system of religion. For otherwise, Hume admits that there may possibly be violations of the usual course of nature, of such a kind (an eight days' darkness, for instance) that philosophers 'ought to 'search for the causes whence it might be derived. The decay, 'corruption, and dissolution of nature, is an event rendered 'probable by so many analogies, that any phenomenon which 'seems to have a tendency towards that catastrophe, comes within 'the reach of human testimony, if that testimony be very exten-'sive and uniform.'

An argument of this abstract nature is good for nothing if it cannot keep its hold, but is obliged to retract, and here and there partially concede, some portion of the consequences which its premises would logically include. It is agreed on all hands, that among the first principles which are taken for granted without proof, as being a necessary part of our intellectual constitution, one of the most important is the 'elemental law of thought,' by which we assume the uniformity of causation. In this manner alone, can we reason backward and forward between causes and effects, as also between effects and causes, and convert the past, present, and future, reciprocally into each other. It is therefore admitted, at once and universally, that like causes produce like effects.

But the statement, that *the like causes*, and none other, have been always, or will always continue, in operation, is a very different proposition. It is one, also, on which no such general agreement, as is here assumed, exists. Quite the contrary; and yet this is the proposition imperceptibly substituted as convertible, or indeed identical, and on which all the subsequent deductions of our author logically proceed. However little reason we might have had previously for suspecting that there had taken place any alteration in a given cause, or combination of causes, and how completely soever the nature of the alteration may baffle

our observation, nevertheless, in the actual state of human knowledge, it must be pure dogmatism to assert that all such alteration is impossible. From a difference in the produced effect, we should instantly imply, as soon as it was made known to us, a difference somewhere in the producing cause. This could never be the case were an assumption of this uniformity of causation, in *this sense* of it, a part of our nature; on the contrary, upon such a supposition, we shall be bound to disbelieve a miracle, not only when it was evidenced by the relation of others, but also although we might witness it with our own eyes. The result of the argument thus stated (and unless so stated it is reduced to a question of probability, on which there is no dispute) precludes the evidence of our senses, as well as the report of others. Such an argument appears to show, not so much the bounds of human testimony, as the bounds of human reason. Any difference in the effect produced can be accounted for only in two ways—either by a new combination of old causes, or by the original intervention of a new one. In every instance, investigation must determine which has occurred, unless all enquiry is to be evaded or stopped by a definition of *impossible*. If, indeed, '*impossible, and involving a deviation from the uniform succession of causes and effects*, are convertible terms, or synonymous expressions,' then it is, of course, impossible that such an intervention can ever be. An apparent modification in the sequence of events may be no violation of the laws of nature, although we cannot explain the change. This frequently happens in the ordinary course of things—from the immense variety of physical phenomena, and the narrowness of human knowledge. But let us take a case, in itself so simple and familiar that no cause, or combination of causes, under the ordinary laws of nature, can comprise the new phenomenon. The issue is here put upon a very narrow point. The unchangeableness of these laws, as verified by experience, and the frame and constitution of our being, are appealed to, as imperatively requiring the rejection of this phenomenon. This constitution of our being is spoken of as being a fundamental fact or proposition, which wants no proof itself, and is, indeed, capable of none; but which is solely believed from the impossibility of disbelieving it. We admit the truth of this account of our constitution, if this principle of immediate belief is confined to the uniformity by which the same effects are understood to be connected with the same causes. For this is a verity confirmed by our own consciousness, and by our experience of human conduct. We protest against the truth of this account, if the principle of immediate belief is extended

to the denial of a possible interruption in the prior connexion between causes and effects, by the introduction of a new impulse derived from a higher agency. Whether we look to our own consciousness, or to our acquaintance with the opinions of others, we feel and witness no revolt against the possible existence of a superior power—the *causa causans*, by whose extraordinary interposition the old laws of nature may be either temporarily suspended, or permanently changed. Nor do we see a pretence for assuming, that the primary truth concerning the agreement of mankind on the uniformity of causation, involves the exclusion of all causes and effects but those whose succession has fallen under our own experience; or such as, at least, our own experience shall not have personally contradicted.

Supposing, therefore, it were true (which will appear not to be the case in the event to us of the most importance, namely, our own existence) that no change had, in point of fact, occurred in the laws of nature: Yet the objection taken against the possible belief of such an occurrence is in the conjunctive. It assumes, that, by the construction of our nature, we must reject such a phenomenon, however proved. This assumption appearing to be quite unwarranted, the question upon miracles may be considered as remaining open, like any other question of fact, to be tried in any individual case on its own merits. It is a sufficient defect in any argument, that it fails in making out the conditions which its premises assume. This must be the fate of the present argument with all persons, to whose minds the possibility of a controlling intelligence is not positively disproved. For as long as the existence of such a power is conceived possible, the mind cannot be contemporaneously possessed with the supposed conviction that nothing is possible but causes and effects following in an unmovable and eternal cycle. The intellectual contradiction will be still more irreconcilable on the part of those who hold not only the possibility, but the actual existence of a God with any other attributes than those of the divinities of Epicurus. For although the same understanding often entertains 'two opinions mutually destructive of each other, with-'out being conscious of their incompatibility;' yet from the moment that they are brought within sight, and their incompatibility admitted, unless both are sunk into a state of torpor, one must drive out the other, or there will be no rest. Now, it is evident that such a contention must arise in the mind of a person who receives the proposition of a connexion of causes and effects uninterrupted, and incapable of being interrupted, and who, at the same time, (to say nothing of belief in intermediate powers,) believes in a being, maker and governor of the world.

It would be indeed difficult to reconcile the elemental law of thought, which, according to the assumption, is a part of our intellectual constitution, with the notorious fact, that the belief in a supernatural disturbance of the ordinary connexion between secondary causes and their effects, seems in some shape or other so inveterate a part of human nature, that the reduction of this credulity within some limits is one of the hardest tasks imposed upon philosophy. And, singularly enough, the occasion as to which Hume so peremptorily negatives all possible variation in the laws of nature—namely, the introduction of a new religion—is that to which most thinking people (looking at the general object to be accomplished, and at the particular evidence alleged) have restricted the apparent exercise of this disturbing power. Nothing, apparently, but what seems to us an imperfect conception of the divine attributes, prevents the present author from finding himself embarrassed in the contradictions we have alluded to. For at the end of his seventh chapter, the method by which the existence of a supreme intelligence, and the nature of the divine attributes, are inferred from physical evidence, is described as being 'an obvious instance of the unavoidable assumption that *like* effects must have had *like* causes.' In the mode of proof here stated, we quite agree; but we differ as to the extent to which the attributes may be thus legitimately inferred. In respect to the mode of proof, the celebrated demonstrations and arguments *à priori*, are high matters which we could never comprehend. Just as we conclude from the traces which they have left that human beings formerly lived upon the earth—or as in the event of being shipwrecked on an island in the Pacific, we should watch every mark around us for evidence whether it was inhabited by beasts of prey, by savages, or by civilized natives—so precisely in the same manner the works of nature lead us directly to the idea of a wise and benevolent author. Hume on this principle has admitted, that to whatever degree the results of power, wisdom, and goodness are actually exhibited in the creation, these respective attributes may, up to that extent, be philosophically attributed to the Creator.

It becomes a most important question what is the real extent of the inference which the mind is justified in drawing, or which, (to speak more correctly,) according to the law of its nature thus referred to, it necessarily draws, on witnessing the exertion of any given power? The fact appears to us by no means to agree with Hume's statement: Yet the view taken by him is, we suppose, adopted (for he adopts its consequences) by our author. The Deity, it is true, is a *single* being, known

only by his individual productions, and whose attributes, therefore, cannot be extended by analogy. But it is by no means clear that it is, as Hume pronounces, an established maxim, that when any cause is known only by its *particular effects*, it is impossible to infer any *new* effects from that cause;—it being understood that *new* does not here mean superior or intrinsically different, but strictly a repetition of the same or like or inferior effects produced by an exertion of a similar energy in a *different period of space or time*. Nor is it at all clear that attributes which may not be extended by analogy, cannot be illustrated and explained by it.

A fundamental principle of human nature is assumed throughout, as the basis of reasoning on uniformity of causation. On this supposition, such an opinion as the above can only be plausibly maintained by confounding together different kinds of causes—between which, nevertheless, an important distinction is felt, and is recognised to exist. Experience, and the customary transition in our minds from one object to another, are not always so absolutely wanted, as is stated by Hume, in order to create the sense of that supposed dependence by which we feel that if the first had not been, the second would not have existed. There are many cases, in which the observation of a particular event following upon another, although the observation were made in a single instance only, might yet be so novel and so isolated from all co-operating circumstances, that their conjunction would raise, and justly raise, the idea of a necessary connexion, as absolutely as if their relation had been the subject of a hundred experiments.

So far from there being any one general rule or instinctive principle on this subject, it is one of the main offices of experience and reason to teach us the necessity of different degrees of caution according to circumstances; and to protect us against the great tendency of our nature towards forming inconsiderate associations. Our first impression, on any change taking place in the appearances of things around us, is to look out for what two objects stand in such a position to each other, as to account for this change, under the agency of causation. When these are ascertained, all further sentiment or reasoning must depend upon the nature of the preceding object, which we consider as having been the cause. Take the supposition (as is assumed in the instance of the operations of the Deity) that we have no key to his nature but the particular effects. In case the effect were to lead us back to a mere elemental combination of substances, which had exploded, whether in the clouds

or in a chemist's shop, we should certainly expect, in the cause thus ascertained, no repetition of the explosion from these identical materials. The energy, which depended on the combination, would perish with it. But suppose that, in tracing the particular effect up to its cause, we observed the exercise of power, and contrivance in the adaptation of means towards the accomplishment of an end—surely an entirely distinct consideration immediately and irrepressibly arises in our minds. It is not of the nature of moral power, intelligence, and goodness, to exhaust itself in a single effort. The enquiry we could not but instantly undertake, would be the degree to which these attributes were invested and exemplified in the case submitted to our observation. As far as we found from the proof of the particular effect, that this degree extended, we should be satisfied, that so far at least, we had discovered a source whence a similar energy, on suitable occasions, might issue forth. If it be allowed (and thus much both Hume and our author seem to allow) that the particular effects visible in the laws of nature, prove the *existence* of a first cause, and the *possession of certain attributes* in proportion, at least, to the extent that they have been exercised;—again, if it be further agreed (and otherwise all human discussion on the subject is beating the air) that the existence and the attributes here spoken of, are meant to convey such ideas as, being derived from our own nature and experience, the human understanding can comprehend;—it seems to follow on these admissions, that, in the same way as we should infer from a single elaborate specimen of human mechanism, that its author could pull to pieces, mend, or reconstruct his own workmanship, or as a stranger who might hear Cicero for the first time in the Forum, would have concluded that he could speak as well on other occasions—so from the particular effects manifested in the laws of nature, we must infer a similarly existing and enduring power on the part of their great Author.

Nor is the inference confined to the conclusion, that such a power is competent merely to the reproduction of the self same acts. It also comprises the possible performance of similar acts; that is, acts of the same description, and implying only an equal degree of power. We question whether any one can be found, whose understanding is so framed, that, after having once admitted, from the evidence of the design manifested in the laws of nature, that a superior Being must have been their author and designer, he should, on calmly reconsidering the whole case, feel bound to deny Him the similar or less degree of energy necessary for the suspending or modifying those laws.

When, by reasoning from visible effects to causes, we have once ascertained the nature and efficiency of the cause in question, it will not be necessary, in case we come to reverse the process, and to deduce other possible consequences from the cause, whose existence is thus supposed to have been established, that these consequences should be, in point of fact, called into operation. Some there are which *must* result; others which only *may*. There can be no ground for conjecturing that the power of the Creator over his own laws has been lost or become obsolete because it may have been kept latent—that is, may have been employed in maintaining them, and not in altering them for ages.

The science of geology is very properly referred to, for the striking example which it offers of the successful application of the hypothesis of uniform causation properly understood. Present phenomena, and their causes, have been most skilfully combined and used, so as to furnish us with the story of a period, which has itself transmitted for our information, nothing but mere strata and deposits. But the late discoveries in geology, lead irresistibly to another observation, which does not seem to have occurred to our author. It is one, however, of still greater importance; for it seems to us to be fatal to the theory which we have presumed to call a misconception of the uniformity of causation, as signifying an unalterable sequence of causes and effects. Those who have read neither Cuvier nor Lyell, are yet aware that the human race did not exist from all eternity. Certain strata have been identified with the period of man's first appearance. We cannot do better than quote from Dr Prichard's excellent book, *Researches into the Physical History of Mankind*, his comment and application of this fact. 'It 'is well known that all the strata of which our continents 'are composed, were once a part of the ocean's bed. There is 'no land in existence that was not formed beneath the surface of 'the sea, or that has not risen from beneath the water. Man-'kind had a beginning; since we can now look back to the period 'when the surface on which they live began to exist. We have 'only to go back in imagination to that age; to represent to 'ourselves that at a certain time there existed nothing in this 'globe but unformed elements; and that, in the next period, 'there had begun to breathe, and move, in a particular spot, a 'human creature; and we shall already have admitted, perhaps, 'the most astonishing miracle recorded in the whole compass 'of the sacred writings. After contemplating this phenomena, 'we shall find no difficulty in allowing, that events which would 'now be so extraordinary, that they might be termed almost

'incredible—our confidence in the continuance of the present 'order of things having been established by the uniform expe- 'rience of so many ages—would at one time have given no just 'cause for wonder or scepticism. In the first ages of the world, 'events were conducted by operative causes of a different kind 'from those which are now in action; and there is nothing 'contrary to common sense, or to probability, in the suppo- 'sition, that this sort of agency continued to operate from time 'to time, as long as it was required—that is, until the physical 'and moral constitution of things now existing was completed, 'and the design of Providence attained.'—(Vol. ii. p. 594.)

No greater changes can be well imagined in the ordinary sequence of cause and effect, such as constituted the laws of nature, as they had been previously established, than took place on the day when man was, for the first time, seen among the creatures of the earth.

We should have thought the conduct of a person sufficiently unreasonable, had we fallen in with any one who believed in a Creator generally, and yet either denied that he had the power to modify the rules originally given to his creation, or maintained that man, in case any such modification of physical events should ever take place, was left so miserably unprovided, that he had not faculties and means for discovering the fact. Nevertheless, one, if not both, of these dilemmas, seems to be the necessary consequence of the mode of argument adopted by the author of this essay. But the discovery to which we have alluded, imposes a still further degree of unreasonableness on the supporters of the uniformity of causation in its ill-extended sense and application. The circumstances of the remarkable evidence thus wonderfully brought to light, seem to leave the recusants only this alternative:—Either out of compliment to a refinement of metaphysical ingenuity, they must, in spite of the concurrent testimony of philosophers, disbelieve the fact that the prior state of nature was broken in upon to make room for man; or, in case an interruption, that is, a miracle, be admitted to have taken place in this instance, they must take for granted (and this without any satisfactory distinction being suggested) that it cannot be repeated, or, if repeated, must not be believed.

The only point with which we have here meddled, is the one—whether man with his present faculties, and in his present state, has competent jurisdiction to entertain the question of miracles at all. Our author has done little more than recast Hume's objections in a plainer form. Hume flattered himself (rather prematurely, we think) on having discovered an argu-

ment which, with the wise and learned, was to be an everlasting check to all kinds of superstitious delusion; and, consequently, was to be useful as long as the world endured. The argument is far from satisfying us, either in its old form, or in its new one, that miracles are in themselves impossible; or, being possible, are yet incapable of proof. Nothing but the sense of an argumentative compulsion, from which there was no escape, ought to be allowed, either in this, or in any other case, to debar the human understanding from going into the freest enquiry, by thus putting in a general demurrer. It is quite another question, what ought to be the nature of the evidence, to render miracles at all probable; and what may be the accompanying conditions necessary to support a claim, which, by its very nature, is subject to the greatest difficulties, and on which the boundless fraud and folly of mankind have accumulated the greatest possible quantity of suspicion.

Art. VII.—*Anti-Draco; or, Reasons for abolishing the Punishment of Death in Cases of Forgery.* By a Barrister. 8vo. London: 1830.

It is understood that the manuscripts of Sir Samuel Romilly contain matter of a very high interest to the science of jurisprudence. They are said to comprise his speculations upon all the most important questions which have of late agitated men's minds connected with this subject. He had directed his attention to the amendment of the law, especially the criminal law, from a very early period; and had perceived the expediency of some reforms, and the necessity of others, long before it ever entered into the imaginations of most other men that any juridical thing could be different from what it is, or that any thing could be better than the provisions of the English law in all its branches. Of the various improvements which he proposed, and which would all have been thought wild imaginations of a visionary speculator had they been made public at the time, it is remarkable that a large proportion are now either the law of the land, or almost certain of speedily becoming so. From hence we might draw a very favourable inference touching the rest which are still resisted, and predict their soon being accepted, if we were made acquainted with their nature and purport.

Can any one doubt that it would be of the greatest benefit to the community to have access to these important manuscripts, were it for no other reason than to give the proposed reforms of the law the advantage of such high authority in their favour?

They would have not merely the sanction of his name, whom all wise men have revered, and all good men loved; but also, in some sort, the authority of the legislature itself, which has adopted so many of his propositions, and still hesitates to receive the rest. But there is every reason to expect matter valuable for its intrinsic importance from such a quarter; and even where late writers may have gone over the same ground, there is a high degree of curiosity in observing how far Sir Samuel Romilly had gone in the path of law reform, in an early age, as it were, and before men had been taught by Mr Bentham to speculate with unrestrained freedom. We, therefore, venture to hope that these valuable remains will no longer be withheld from the world. Their truly illustrious author, when he bequeathed them to the care of his chosen friends,* charged them by no means to think of his literary reputation, but only to consider whether or not the publication of these papers was likely to benefit mankind;—a noble sentiment, well worthy of the exalted mind from which it proceeded—a sentiment which those friends would betray their trust were they ever to lose sight of.

In approaching the proper subject of this article, we were naturally led to the remarks which we have now premised; for no subject as deeply or so constantly engrossed Sir Samuel Romilly's regards, as the severity of our criminal code. His speeches, and his able and eloquent tract upon the subject, are fresh in every one's recollection. He was the first person who broached the question fairly and systematically in Parliament; and he shared the fate of all propounders of change in any institution: he was derided by some, pitied by others, by not a few execrated, by almost all regarded as the advocate of a desperate cause. It can hardly be thought extravagant in us to state the change which less than the quarter of a century has produced in public opinion, as almost unparalleled, when we remind the reader of the origin of a phrase, much in men's mouths who would resist change—'*The wisdom of our ancestors.*' It was first invented by Mr Canning to oppose by a kind of outcry, or appeal to vulgar prejudice, the law reforms so gradually, so temperately proposed by Sir Samuel Romilly; and yet Mr Canning lived to be regarded as a leader, by some unthinking, and by some most ungrateful† men, as the chief leader of what are now deemed liberal opinions.

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* Lord Brougham and Mr Whishaw.

† We allude to, we hope only, certain of the Catholics. They have chosen to consider Mr Canning as the person to whom they lie under the

Upon Sir Samuel Romilly's lamented death, (the greatest misfortune that has befallen the country since that of Mr Fox, for he died at the height of his power, and when a new career of usefulness had opened to him with his extended influence,) the reform of the criminal law was taken up by Sir James Mackintosh, with congenial feelings, and great resources of learning, philosophy, and eloquence, and a large experience derived from his judicial station. All the friends of enlightened and humane legislation cheerfully rallied round so able a leader, and he was, of course, vehemently opposed by the government of the country. Lord Castlereagh was at his post, as were the Attorney and Solicitor-General of the day at theirs; the Judges lent, as usual, the weight of an authority, not then estimated at quite its just value, on such points, against all change of all laws; Sir Robert Peel, and the other lesser authorities, were all ranged on the same side, mustered by the watchword—'*Resist all change!*' The friends of sound policy carried the day, and Sir James Mackintosh succeeded in his motion for a committee to enquire. This important victory was, some time after, followed by important events. For Sir Robert Peel, having opened his eyes to the merits of the bullion question, and one or two others, became sensible how much he had erred in his former conduct; candidly avowed his conversion; and began to doubt the soundness of his opinions and votes on the questions connected with law reform. In a word, he became a law reformer himself; and though as yet he has not gone so far as was to be expected from the clearness and strength of his opinions, the acquisition of such an ally is, on many accounts, of extreme importance to the cause of juridical improvement; and there can be no manner of doubt that it will facilitate some of the great steps now in contemplation.

The object of the present remarks is, to invite the reader's attention, and, if possible, that of the government, to the very important question concerning the punishment of death, debated so often in the last Parliament. Sir Robert Peel's bill for consolidating the laws respecting forgery, while it abrogated the capital punishment in a few cases, left it, unfortunately, in the great bulk of those to which practically it has ever been applied; particularly the case of bills and notes. This gave rise to the

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greatest obligations for their emancipation. Yet, without undervaluing the services, of a very secondary cast, which that able and eloquent man rendered to their cause, *can* they have forgotten that Lord Grey, Lord Granville, &c. sacrificed office to it for the best part of their lives, while Mr Canning never once affected to make any sacrifice whatever to it?

discussions in the last session of that Parliament, and is the ground of our present remarks.

Those who have objected to the punishment of death, may be ranged under two classes;—the reasoners who deny the lawfulness of taking away life for any offence; and the reasoners who contend that capital punishments defeat their own object, and are not effectual to the purposes of penal infliction.

The first of these objections leads to a wide and intricate discussion; but it appears to us, upon the whole, untenable. At least we conceive it to be untenable, unless there be rational grounds for denying that any exigency can justify the shedding of human blood. If it be admitted that capital punishment has sufficient power to deter from the commission of crime, (and in order to try the question upon the first ground, we must admit this,) then there can be no good reason assigned for not taking away the lives of great, and cruel, and hardened offenders. The question is thus to be stated: The duty of the lawgiver is to prevent murder and rapine—to make life and property secure—to put down enormous crimes, which none but the most desperate of men would commit, and which make life not merely uncomfortable, but wretched—crimes which are inconsistent with all orderly government, and threaten the very existence of society. Suppose it is allowed that putting the convicted offender to death has sufficient efficacy, by way of example, to prevent the commission of such offences, there can be no reason against taking this course, unless we also deny the right to destroy an enemy who invades our country, or an individual who seeks our life. The denial of the lawfulness of doing this, assumes the existence of some law against the provisions of which the act is supposed to be done. What is this law? Not certainly the law of nature; for that presents all measures as not merely justifiable, but fitting, in self-defence. Not certainly the revealed will of God; for there is no system of religion which does not contain express enactments of a capital nature against various crimes, except, perhaps, the Christian religion; and that is silent upon the subject, and must be understood to refer on this head to the provisions of the Mosaic law—a code full of capital inflictions. But it is said that the punishment of death differs from all others in a very important particular—it isirrevocable. When a man is sentenced to imprisonment or banishment, and his innocence is afterwards discovered, his sentence is easily remitted; but if a man is put to death, and the error of his judges is afterwards made apparent, a grievous load lies on the public conscience; for a judicial murder has been committed. We are not insensible to the force of this

consideration; it is well deserving of influence, and should in all cases make the lawgiver incline strongly against capital penalties. Yet is there somewhat of deception in the argument, if those who use it intend to maintain that the difference is *specific*, and that capital punishments alone are by their nature irrevocable. A man has by mistake been convicted and subjected to five years' imprisonment or transportation, when his innocence is made to appear; the residue of his term is of course remitted. But how can he be restored against the five years' suffering which he has already endured? Is not that infliction of necessity irrevocable? He has suffered so much, and that can never by any power be undone. The legislator is, in truth, to assume that such errors will not be committed; he is to adapt his laws to the ordinary course of events; and the possibility of innocence suffering, hard though it be, ought not to decide the question in hand; otherwise it would be an argument against our punishing in any way.

The second head of objection is certainly the most deserving of attention. In most cases capital punishments are found to frustrate themselves. Granting that the public spectacle of an offender put to death has the effect of deterring the beholders, and those who hear of it, from repeating the same offence, the question is, whether this can, in every case, be safely exhibited, and whether, in many cases, it can be exhibited at all. One observation may here be made: If no circumstance is to be taken into the account, except the power of graver examples to deter from following the criminal courses that led to them, then no crime, how light soever, should be punished, except by death; for the well-being of society requires that all crimes shall be prevented, and the securing of that well-being is the first duty of the lawgiver. But this scheme, almost invariably found to have been adopted by nations in some early stage of their jurisprudence, and very nearly realized in the criminal law of England at a recent period, is liable to so many plain and unanswerable objections, that we need hardly enumerate them. The principal are, that no proportion is kept among crimes of different degrees of enormity, and an inducement is thus held out to commit the worse offences; that the feelings of mankind are apt to run against the punishment, and thus to be turned in favour of the offence; and that the frequent spectacle of blood, tends of itself to harden the hearts, and corrupt the nature, of the people—thus fitting them for the worst of crimes. These considerations, which all men will admit operate in the extreme case, as we have been putting it, are found to operate, more or less, in the intermediate cases also.

We shall now take the example of that offence which was of late principally discussed in Parliament,—the crime of forgery. We admit, in the outset, that none can more injure a commercial community; that none more destroys the confidence of society; that none more endangers large masses of property; that it is frightful to think of the mischiefs which it may occasion; that to commit it a man must have become so lost to all feelings of honour, to all regard for the welfare of others, and all respect for himself, as to have forfeited every claim to compassion. Nay, we will go a step farther, and allow that those who, in many cases, commit it, have made up their minds to quit their country, being in desperate circumstances at any rate, and that the fear of a public and ignominious death might affect them, when the punishment of transportation may have for them lost its terrors. Still, and after all these concessions, the question recurs, can we rely on the capital infliction in this case,—opposed as it is to the generally, if not universally, prevalent feelings and opinions of the community? The question is plainly one of fact. The dislike of hanging for forgery is a fact; no one who is practised in the police or the law of the country, ventures to deny that men, generally speaking, are averse to see life taken away for the crime of forgery; and all who are so practised, admit that a rooted disinclination prevails in every quarter to aid in the enforcement of a law, so adverse to the general feeling. First of all, those who are defrauded refuse to prosecute, because they may be the means of putting a fellow-creature to death. Next, witnesses give their testimony with reluctance, and are apt to strain a point in the prisoner's favour. Then many, who know facts material to the case, put a padlock upon their lips, for fear of being compelled to come forward; and those who are known, and therefore summoned, refuse to hold any previous communication with the agents for the prosecution, which makes it unsafe to call them. Again, the jury are disinclined to convict, and try every means of acquitting. Lastly, the sentence is passed, but only executed in a small proportion of cases. Now all these chances of escape are known to evil doers; they are aware that the letter of the law says they shall suffer death if they forge; but they know that, though the letter may kill, the practice gives them many chances of escape; and that even if convicted, they incur not a certainty, but only a risk of about one in eight or nine, of suffering death. All this uncertainty defeats entirely the object of the enactment. It makes the law any thing rather than dreadful. It leaves men to speculate on probabilities and calculate the chances.

How much more efficacious would a penalty of a lower nature

be, which was nearly certain to be always enforced. It is plain, that if any punishment, however inconsiderable, were absolutely certain to follow the offence, its commission would be infallibly prevented in almost every case. If it was clear, for instance, that a thief, within four-and-twenty hours of committing the offence, would be obliged to restore the stolen property, and suffer one day's imprisonment, theft would be abolished in all cases but those of something like mental alienation: and so of other crimes—all motive to commit them would be at an end. But this certainly involves three things—that the culprit shall be detected—that, when caught, he shall be convicted—and that, when convicted, he shall suffer a fixed inevitable penalty. The legislator has considerable power over all these three ingredients of penal certainty, but not, by any means, equal power. The first is the least within his control; the last is the most subject to him. Whatever tends to improve criminal police, undoubtedly increases the chance of detection; but much also depends upon the co-operation of individuals; for let the police be ever so perfect, if a party injured neglects to complain and furnish the clew to investigation, the culprit must escape. So of the second ingredient of certainty—the chance of conviction. The more accurate the rules are of judicial procedure, and the better the hands in which the administration of justice is placed, the less chance will there be both of innocence being condemned and of guilt escaping. But whatever excellence the system of jurisprudence may have attained, and in what hands soever its powers are vested, if parties injured, witnesses, or the public functionaries themselves, have an indisposition to call down upon the head of the accused the punishment denounced by the law, the guilty must oftentimes escape. The third ingredient,—the certainty of a convicted person suffering the penalty awarded,—can only be frustrated by gross misconduct in the tribunals; unless, indeed, we can suppose a case so absurd, so contrary to all rational principle, as the criminal code denouncing punishments without intending that they should be inflicted.

Let us see how these ingredients of certainty are affected by the punishment in any case being incommensurate to the offence, or supposed, by the prevailing opinions of men, to be so; in a word, by the public voice being very decidedly against the enactments of the law. Manifestly, this unfortunate circumstance will affect every one of the three. Parties will not denounce the guilty, nor help the pursuit, nor in any way aid the public functionaries. Witnesses will be loath to come forward; judges and jurors will be slow to convict; or, which

comes to the same thing, they will be astute to find difficulties, and espy imperfections in the evidence. Lastly, when the conviction has taken place, the tendency will be to prevent the sentence from being executed, by straining the law, so as to let the party escape, or by obtaining a pardon for the offence. To these sources of uncertainty must be added one, the worst of all, because at once the most copious, constant, and unreasonable, not to say ridiculous—the idea, of late years so much inculcated, that the law is, in many cases, meant only as a denouncement, and not to be actually executed; something like burning men in effigy, or firing over their heads, in order to alarm and not to hurt them.

It is quite certain that the capital punishment of forgery sins in all these ways, by lowering every one of the three ingredients of certainty. Men's minds are set against it. This was natural and inevitable, independent of any accidental circumstances; but the conduct of the Bank of England in its prosecutions greatly increased the unpopularity* of the law; and it is undeniable, that in a large class of the community, and especially the mercantile portion of it, religious views and moral feelings mixed themselves, so as to make the repugnance altogether invincible. The consequences have been fatal to the efficacy of the law. Men have suffered losses to a large amount, and repeatedly, without complaining, because they knew that their complaint was the death-warrant, and might be such, of a fellow-creature. Others who could give evidence kept their lips sealed, for fear of being called upon as witnesses, should it be known that they possessed any criminatory information. Jurors have again and again refused to convict upon the clearest proof. But more absurd than all,—more discreditable to the law, and more fatal to every thing like certainty,—it has come to be an understood thing, that though the statutes say forgery shall be punished with death, they mean no such thing—that their sense rather is, forgery shall not be punished with death; at least, that in eight cases in nine the sentence of death shall be pronounced, and another punishment, not mentioned either in the law or the sentence, shall be executed by a kind of compromise or bargain with the offender. Now, as no man can tell, while the law remains in this state, whether, in any given case, the sentence really shall be executed or not, parties, witnesses, and jurors, are left in doubt, and act from apprehension

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* *Popularity* is the term employed by Mr Bentham to denote the punishment being adapted to the feelings of mankind.

of the punishment being inflicted; while to the mind of the criminal, in the act of resolving upon doing the crime, nothing is presented but a confused picture of crime, chances of escaping detection, and escaping conviction, ending in an avowed lottery of eight prizes to one blank;—supposing detection and conviction both to have taken place.

It is sometimes said, that men do not feel the influence of such calculations, in the moment when deliberating upon the commission of crimes. Nothing can be more unfounded than this remark, and nothing more absurd in the mouths of penal legislators. Men do certainly speculate upon the chances of escape and conviction, with a leaning, no doubt, to take the sanguine view. But, at all events, they acquire a habit of regarding criminal acts as more or less perilous, according as the chances of suffering are greater or less. This habit it is, formed in cooler moments upon each man's observation and reflection, and upon communication with others, that mainly operates to deter from crimes. If it has become notorious, and almost proverbial, that forgery has more chances of escape than most other grave offences, assuredly its commission will be more frequent. But suppose we are wrong, both as to the fact of wrong-doers weighing probabilities of escape on the eve of doing the act, and as to the way in which habits of regarding the act are formed, still, we ask, can any thing be more absurd than for the legislator to hold that men are not influenced by such considerations? What else justifies penal infliction? What other ground has the lawgiver for punishing at all, but the hope that example will deter from commission of the offence once punished? It is precisely to the mind of the wrong-doer, and on the assumption that he weighs chances, and reflects upon risks, that the law professedly appeals. If example can deter, it is either by striking the mind at the moment of deliberation prior to offending, or by forming the opinion, and giving the habitual impression, that to offend is full of danger.

If the chances of escaping death, after conviction for forgery, are eight or nine to one, little or no benefit, we may be well assured, can result from the idle denouncement in deterring the offender, who will think nothing of so remote a risk, and will be led away by his passions. But if no good, in deterring offenders, be done by the severity of the legal enactment, so rarely put in force, there is a clear balance of mischief produced by it; because the chances of detection and of conviction are exceedingly diminished by the severity of the same enactment. Therefore, it is clearly against all sound policy to preserve it in name, while it is not really in force. The only use

of its great severity is gone, and the same severity counteracts the design of the law.

There can be no doubt that such considerations as these had long prevailed among thinking men, and induced them to regret the punishment of death for the crime of forgery. Mingled with these views of expediency, however, there were others belonging to the first class of objections, which we have already discussed; and it was, for some time, believed that no practical men held the opinion adverse to the capital penalty. It is true, that the most glaring instances were continually recurring of malefactors, who deserved the highest punishment, escaping altogether. Men were every day seen submitting to be plundered by forgers rather than prosecute; others were observed to favour, in all ways, the escape of the worst criminals, by suppressing evidence, and even by giving in verdicts of acquittal, when evidence was adduced that sufficed to prove guiltiness. Still it was thought that those in trade, whose interests were principally concerned in the question, more especially persons engaged in the business of banking, were against any alteration of the law, and felt satisfied with the protection afforded them by the capital enactment. The memorable Petition of the Country Bankers put an end, at once and for ever, to this imagination. That petition is a most important fact in the case—a fact, indeed, from which there can be no appeal. Nine hundred persons, many of them representing firms engaged in the business of banking, approached the Parliament with a serious complaint of the inefficacy of the law as it now stands and is now administered, to afford them the protection in their business which they deem their right; and the ground of their complaint is, that the punishment of death being denounced against the crime of forgery, almost ensures the escape of the offenders in so many instances, that the crime is not adequately prevented. To this statement there was no answer. To the prayer of the interested party there could be no refusal connected with the principle on which the punishment was pretended to be enacted; for it was said to be decreed in order to protect those bankers, and they complained of the measure intended to protect them, and entreated the Legislature to give them any other kind of protection, stating, that this injured instead of succouring them. No man could charge these petitioners with being speculators, or visionary and theoretical reasoners. They were plain, practical men of business, speaking of their interests in a mercantile point of view. It was not their feelings that were excited; it was not any notion of capital punishments being unlawful that

had got possession of them. They spoke merely from their experience as bankers, peculiarly interested in putting down the crime of forgery by all means, because that crime was more pernicious to them than to any other class of the community; and, telling the plain tale, that they had found the punishment of death increase forgery instead of diminishing it, they entreated the Parliament to protect them by altering the penal enactment.

It is not surprising that such striking facts as these, coupled with all the other considerations to which we have adverted, should have produced their due effect in the discussion of the question raised by Sir R. Peel's bill, which very unexpectedly left nearly the whole class of forgers subject to capital punishment. The point was debated with all the fulness and deliberation which its extreme importance demanded; and at length, by a considerable majority, the cause of sound principles triumphed; the capital penalty was thrown out of the bill, in all the cases of importance, especially in that of bills and notes, being really the whole question.

It is painful to be compelled to state the part which the late Ministry deemed it not unworthy of them to act upon this occasion. There was no want of assertion, nay of asseveration, that the question was not made a ministerial one; but there was also no want of summonses to ministerial members in the accustomed manner, and no want of all those means usually employed to enforce attendance on questions supposed most interesting to the Government of the day. In truth, great exertions were making by all the underlings to obtain a victory, at the very moment when the Ministers were declaring, and, we doubt not, conscientiously declaring, that the question was not a Government question. And we have been apprised of the names of some converts to the Treasury, who, with the proverbial zeal of all disciples, were to be seen hurrying towards their places on the Government side, and were to be heard assigning as a reason for their haste, that 'the Ministers were expected to be pressed!' All this management—all this base zeal—this *prava diligentia*—happily failed, and truth prevailed.

The more pleasing task remains of commemorating the pious labours of those whose active exertions helped to win the day. First, as a matter of course, the amiable and persevering zeal of the Society of Friends was everywhere conspicuous; insomuch, that an argument was derived from it against the measure. 'These petitions,' it was said, 'are got up by the Quakers. 'Mr Allen and Mr Barry are *agitating* the country and procu-'ring petitions.' Nothing more silly and thoughtless, we will

venture to assert, was ever suggested to explain away a troublesome fact, or an ominous appearance. What kind of a cause is that which can obtain nine hundred petitions in its behalf as soon as a few Quakers think proper to call for them? What sort of law must that be, the repeal of which is loudly demanded by so many respectable men, at the request of William Allen and J. F. Barry? But what measure is it which nearly a thousand bankers sign their names to recommend—ay, and to recommend against the known wishes of the government, and in abrogation of the existing law of the land, merely because a committee of London Quakers desire it? Are bankers, of all men, so very careless of signatures—so indifferent to the act of signing their names, that the moment any one shows them a petition to Parliament, down go their names to it? But again—what petitions were there on the opposite side of the question? If it was all zeal and contrivance that procured the Bankers' Petition to be relieved from the pressure of the law for the encouragement of forgery, as they deemed it, where were the petitions of the other bankers, who were friendly to the existing law, and deemed their property safe under its protection? These petitions were not to be found; and this fact speaks volumes in favour of our opinion, and in refutation of the vain cry attempted to be raised against the petition presented.

The triumph that had been gained, and which so gladdened the hearts of the wise and the good all over the country, was, we grieve to say, shortlived. The Government was inexorable. Sir R. Peel did not here, as in the case of the Test act, when the House of Commons decided against him, abandon his opinion and go on with the measure of his adversaries. He did not treat the errors of the law as he had done the vaunted security of the Established Church—abandon it because the House had outvoted him. He did not, as he had then done, adopt his antagonist's bill, and volunteer his help to carry it through Parliament, as soon as he had been foiled in his opposition to it. On the contrary, the instant that the contested clause had been flung out of the bill, he abandoned the whole of his own measure, and left his adversaries to carry it through its remaining stages without the important aid of ministerial influence to protect it. They contrived to do so, and the bill went to the Lords. The Duke of Wellington and his colleagues there opposed it, and the Lords threw it out.

The hopes of men were thus damped for a season. But let it only be observed in what a predicament the Lords have deliberately left the law on this important subject. If there were difficulties in the way of detecting, and convicting, and punish-

ing offenders before, from the general feeling and the prevailing opinion upon the subject being hostile to the capital penalty, how mightily are these difficulties now augmented, when the general feeling out of doors—when the prevailing opinion of the country, has been sanctioned by a majority of the House of Commons; and a bill founded on those feelings and opinions, and as it were embodying them in a legislative form, was actually passed, after the fullest deliberation, and sent by the one House of Parliament for the adoption of the other! Surely parties, witnesses, jurors, nay judges themselves, will now feel that the capital punishment is stigmatized by the highest authority, will more than ever lean against inflicting it, and will render the law more than ever a dead letter. These considerations struck not the Lords' House of Parliament, but they add new force to all the arguments urged against the law as it now exists; and they will doubtless lead to renewed, and, it is to be hoped, successful efforts for its amendment.

ART. VIII.—1. *The Croppy, a Tale of* 1798. By the Author of the 'O'Hara Tales.' 3 vols. 8vo. London: 1828.

2. *The Denounced.* By the Author of the 'O'Hara Tales.' 3 vols. 8vo. London: 1830.

3. *Yesterday in Ireland.* By the Author of 'To-day in Ireland.' 3 vols. 8vo. London: 1829.

4. *The Collegians.* 3 vols. 8vo. London: 1829.

5. *The Rivals.* By the Author of 'The Collegians.' 3 vols. 8vo. London: 1830.

IRELAND, with all which that word suggests—its darkly-chequered and eventful annals—its misery—its gaiety—its turbulence—its humour, and the many eminently characteristic points which mainly distinguish it from other nations, affords so good a field for the range of the novelist, that works, descriptive of those among its peculiarities which it is chiefly the business of the novelist to embody, are, especially when written by Irishmen, reasonably entitled to some attention. For those who can depict the varieties of human character, there are materials copious beyond example. There is a strongly marked national character, full of distinct and salient points, giving to all within its scope one common impress, and yet not to such a degree as to destroy the individuality which prevents the surface of society from being even and monotonous; and there is, in addition to this, a character equally conspicuous, and which

furnishes more ample materials for interesting and (we must add) mournful speculation—a character which is produced by circumstances—a character which centuries of subjection and misrule have so deeply imprinted, that we cannot always, without difficulty, distinguish that which is natural from that which is the result of situation. Hence arise some of those anomalies and contrasts which impart such a remarkable degree of picturesqueness to the varied features of Irish life. There is the wild recklessness of those who have little to lose—the fitful bursts of suppressed gaiety—the impulse of a lively temperament to enjoy the brief saturnalia which each slight alleviation of misery may afford—a natural fearlessness, breaking out, ever and anon, into temporary turbulence, and a natural quickness of intellect, subdued into the tortuous ingenuities of slavish cunning. We see the melancholy perversion of much that, under happier circumstances, might have been rendered active only for good—we see the current of naturally ardent feelings too little restrained by the influence of that countercheck which education can afford, and fermenting with the double exasperation of political and religious hate. Delineations of national character in the persons of individuals are too often gross caricatures. Whoever sits down to draw an Irishman—a Scotchman—a Frenchman, will generally either exaggerate, for the sake of effect, some one peculiarity, or try to combine, in the same person, so many qualities not co-existent, that the figure, by being meant to resemble all its countrymen, ceases to be like any. None, perhaps, have been more caricatured than the Irish, but rather by the former than by the latter process. The latter demanded a more intimate acquaintance with them than often existed in their pourtrayers, and the exaggeration of some one peculiarity was easy and effective. Blunders and the brogue have often been considered capital enough for would-be delineators to trade upon; and such have been the capabilities which the character afforded, that the worst sketches have seldom been altogether unamusing. It is only within the last thirty years that the Irish have been very successfully represented. Before that time we had, now and then, cleverly executed single figures by such pens as Farquhar's, Cumberland's, and Sheridan's, which, even if they were incorrect, were not likely to sketch coarsely; but we never saw the Irish grouped—we never trode with them on Irish ground—we never viewed them as natives of a kindred soil, surrounded by the atmosphere of home, and all those powerful accessaries which made *them* natural, and *us* comparatively strange and foreign. We had seen them alone in English crowds—solitary foreigners, brought over to amuse us

with their peculiarities; but we had never been carried to Ireland, and made familiar with them by their own hearths, till, for the first time, they were shown to us by Miss Edgeworth. Perhaps her 'Castle Rackrent' may be considered the first very successful delineation of the Irish character; and our admiration of the force and fidelity of that brief sketch is not diminished by comparison with any that have since appeared. As a pourtrayer of national manners, Miss Edgeworth occupies a high place—clear, lively, and sensible—forcible without exaggeration, and pointed without being affected. Hers is the least dim and distorting mirror in which we ever viewed a reflection of the Irish people. It might, nevertheless, have been wished that she had deepened her views, and extended her sphere of observation —that she had admitted more of those strong lights and shadows which Ireland peculiarly affords; and for the sake of which we would willingly have sacrificed some of that mild, sober daylight, which is diffused so uniformly over her pleasing narratives. We have excellent quiet sketches of every-day Irishmen—and nowhere do we see them held up to us more plainly as they are; but we are not, with some few exceptions, sufficiently told the influence of circumstances upon the national character, nor what in each individual is natural, and what the result of his position. There is a careful avoidance of political topics, the bearing of which upon Irish society is too marked and important to be altogether neglected. We even question if it would be possible to discover in her writings that the Catholics laboured under any disabilities, and that any strong feeling had been excited by the unequal position of the two principal sects. Lady Morgan has pursued a course precisely opposite to Miss Edgeworth. If the one has too much avoided political considerations, the other has indulged in them perhaps too freely. With much more energy and vividness of style than Miss Edgeworth, but with less sound practical ability, she draws moving pictures of Ireland's woes, and pours out the vials of her wrath against Toryism, and intolerance, and corruption in high places. Her diatribes are well meant, and contain much that is true and spirited; but the truth is oddly mixed up with a good deal that diminishes its weight and detracts from its effectiveness. Flightiness and exaggeration are prominent characteristics of her style. It is showy and gaudy, and there is a certain splendid indistinctness about it that produces on the mind an effect somewhat analogous to that which is produced by shot silk upon the eye. We cannot easily embrace the whole outline of any one image that she sets before us—we feel, every now and then, that she is much in the right, but we cannot follow her. We should be

much more impressed by her animated recitals of the misfortunes of Ireland, if we could persuade ourselves that the actors in her tale were plain, natural men and women.

What we have just said of Lady Morgan, is, in some degree, applicable to Mr Banim, the author of the 'O'Hara Tales.' With a great power of describing men as they are, he sometimes gives way to extravagance and exaggeration. When wishing to convey an opinion, he forces it upon us, rather than leads us to it, and misses his object by too great an eagerness to effect it. Mr Banim holds a very high place among the novelists of Ireland. There is a rough masculine power, a sterling uncultivated vigour, and a nationality in his writings, well calculated to arrest attention. There is little polish, little regard to the graces of style, and very slight evidence of a correct and regulated taste. The subjects in which he delights, are such as affect us powerfully, it is true, but somewhat painfully, and which would not be selected by a lover of refinement. Scenes of violence and horror—crime and its adjuncts—misery of the deepest shade, and the strong emotions which it calls forth, are treated by him with most success, and with extraordinary force. It is often easy to criticise the language in which he conveys to us the appalling circumstances of his tale; but we are conscious, nevertheless, that a strong impression has been made; and though we may coldly cavil at the means employed, we must allow that they do not fail to produce the proposed effect. He also handles a mystery skilfully, and understands the complication of a plot, which (though probability is often forgotten) he generally developes with commendable attention to dramatic effect. Comparing him with painters, we would say, that he combines the merits of Spagnoletto and Salvator Rosa with much that belongs to Hogarth. His delineations, like those of the English artist, are forcible, true, and characteristic, but too often coarse and unpleasing,—dwelling on the dark side of human nature, and overcharging its loathsome defects;—teaching us rather to hate than to love our species, and occasionally ministering to a pruriency of taste which it is by no means the prevailing sin of modern writers to encourage; yet, at the same time, full of a strength and earnestness which convinces us of the perfect fidelity of the unwelcome representations we are made to contemplate. The commencement of the tale called 'The Nowlans' furnishes some good exemplifications of this peculiar power. The education and career of Aby Nowlan—the details of his ill-regulated *menage*—the stupid vice, low profligacy, and comfortless extravagance, with its progressive train of ruinous consequences—are laid before us with a painful

truth and force, to which we know no parallel in the Novels of the day. In short, spite of many faults, we greatly admire the author of the 'O'Hara Tales,' when he is *himself;* but, unfortunately, he has lately striven to become that for which nature has not qualified him—an Irish Walter Scott. He holds about the same station, in comparison with that great Novelist, as Webster or Marlowe by the side of Shakspeare. Those early dramatists had much wild and rugged vigour—sometimes, by bursts, they showed as much as Shakspeare; but their harps had fewer strings, and those few too often jarred discordantly: and so it is with Mr Banim, even when he is content to be himself. But he is unfortunately what Webster and Marlowe were not—a copyist—and his later efforts have been sadly marred by obvious attempts at imitation.

No writer, perhaps, has ever contributed to elevate his own department of literature in a greater degree than the Author of Waverley; and it must be gratifying to him to witness the impulse which he has given, and the extent and variety of agreeable talent which has been elicited by his example. But when he looks around from his pinnacle, there will be much in the literary panorama which will be unpleasing to him, as there is to his admirers. There is a perverse disposition to imitate and exaggerate defects, which is very conspicuous in many of those who have attempted to array themselves in his mantle. If he has embellished his fictitious groundwork with a few splendid historical names, others have been lavish and tedious in drawing out before us personages who 'come like shadows, 'so depart,' and leave us wondering why they had been summoned. If he has exhibited the portraits of those who figure in his writings, and concerning whose appearance and bearing we are rendered naturally curious—others, with dull and plodding industry, have ransacked the records of ancient wardrobes, and recounted, with ludicrous minuteness, the habiliments of persons who are too unimportant to excite a moment's interest, and fatigued us with details which we cannot remember. If he has recalled the language of former times, enriched his dialogues with local allusions, and interwoven a history of manners and feelings with the careless words which drop from the mouths of even his humblest characters—others have dealt in a multiplicity of phrases and metaphors, which at once repel by their affectation, and provoke by their unimportance. If he has placed before us his picturesque peasants, discoursing in their figurative *patois*, and has tried to make us hear the very voices of his spokesmen; others have outstepped him with a violence which has made the reading a foreign

tongue easy, in comparison with their provincialisms, and have thought the transcript incomplete, without recording even the stammering of their speakers. The Author of Waverley has occasionally indulged in an excess of dialogue, and too accurately transcribed that circumlocution to which the less educated classes are addicted. His imitators fasten greedily on this defect, and tell things in two hundred words which require scarcely twenty.

With several of the above-mentioned faults Mr Banim is plainly chargeable; and they are particularly conspicuous in the novels which form, in part, the subject of the present review. There are few of the *dramatis personæ*, in the outlines of which imitation is not more or less discernible. His Pedlar and Knitter, in the 'Croppy'—his Baron of Crana, John Sharpe, Father James, and Louise, will readily remind the generality of readers of the half-crazed, half-gifted, half-vicious, half-virtuous subagents in the Waverley Tales; and of such characters as the Pirate, the blunt Scotch serving-man, Dominie Sampson, and Fenella. But we object not so much to imitations like these, as to those ludicrous travesties of style, which have just sufficient resemblance even to react unfavourably upon the very delightful works of our great Novelist, and make us for a while half out of charity with them. We have mentioned with censure, a prolix minuteness of detail in the description of habiliments. What fancy-dressmaker would require fuller information than is conveyed in the following passage?

'His own brown hair, ample as the absurd periwig of the day, and disposed like one, fell adown his back; and his dress was in the extreme of even French finery. Point-lace fringed his loosely-tied neckcloth; he wore a highly-polished breast-piece, with pauldrons, over a white satin waistcoat, of which the lower edges, and those of its great pocket-flaps, were edged with silver; across the breast-piece came a red ribbon; his coat, left open, and almost falling off, so liberal were its dimensions, and so wide its sleeves, was of light-blue velvet, and also embroidered; very little of his tight-fitting small-clothes could be seen, his waistcoat hung so low, and his boots, after passing the knees, came up so high, gaping widely round the thigh, although they clung closely and foppishly to the leg; and even his gloves were fine things, set off with fanciful needle-work, and deep fringe.'

But Mr Banim extends his love of accuracy and minuteness to subjects on which we believe few, if any, desire to be informed. We could have spared, in 'the Croppy,' a long description of that rare and curious operation called 'knitting,' which, even if sufficiently unusual in Ireland to demand a description, (of which we are not aware,) is, we assure him, very frequently and diligently practised by the females of the sister

kingdom. Who wants to be told that a man who lights his pipe, 'continues slowly and methodically taking out of his 'pouch, while the reins rested on the neck of his tired and 'patient steed, a little leathern packet, containing, under 'many careful foldings, a piece of tobacco, a flint, steel, and 'touch-paper?' Who would not gladly dispense with such wordy sketches as the following, introduced on occasion of a man looking at his watch? '"Come out, Tell-truth," said he, as, slowly and 'cautiously, he drew from his poke the article he so encomias-'tically addressed. At first appeared, suspended to a steel chain 'of massive proportions, something in a brown leathern case, 'which case, smiling all the time, he slid off; then the eye rested 'on another leathern case, of different texture from the first; 'and finally he exposed to view a watch, of the diameter of, and 'almost as round as, a twenty-four pound shot, of which the 'back was incrusted with some green composition; and that 'back, as well as the glass of the huge time-piece, underwent 'furbishing from the loose cuff of his jacket.'

Whoever compares the two first series of the 'O'Hara Tales,' and especially the very striking one called 'The Nowlans,' with the works now before us, will see the injurious effects of imitation,—will see how much even a writer of ability may lose by ceasing to draw from his own resources, and attempting to adopt the style of another, even though that other may be the most gifted and popular writer of his day. 'The Nowlans' was Mr Banim's own, and bore the decided impress of his peculiar manner. There were faults in it; but even the faults had an originality which half redeemed them, and made them almost as acceptable as second-hand beauties. We have already praised the strongly-coloured episode of Aby Nowlan's life and death—like what Defoe might have written, and perhaps even better than he would have done it; but there are others in the tale no less entitled to praise. What a deep and growing interest is given to the character of the young priest, struggling in vain against those natural passions, to which the forced celibacy of his order opposes such a demoralizing bar! How fearfully dark, yet true, the colouring of the increasing misery which gradually envelopes him and his partner—the lodging-house in Dublin, with all the wretched reality of approaching destitution—the flight, the death, the burial! What terrible graces are displayed in the appointment at the Foil-dhuv—the midnight murder in the cabin—Frank's threat to his uncle, escape, and self-destruction at the police-office! The choice of these scenes is perhaps not always commendable; but, being chosen, we must admire the remarkable vigour with which they are described.

Now of this ability, there is by no means so much in the last two works of Mr Banim. 'The Croppy, a Tale of 1798,' is meant to be an historical novel—historical, inasmuch as it introduces some real events, but not as bringing real personages on the scene. Than the period chosen for this tale, perhaps none in the history of Ireland is more interesting; and it is therefore to be wished, that the story had been rendered more strictly historical,—that the author had introduced just enough of fictitious private details, to cause us to take an interest in his imaginary actors in the real public drama, and then allowed us to follow with them, easily and naturally, the march of events. But this is not done; on the contrary, we are allowed to see very little of the outbreaking and progress of the Irish rebellion. Attention is diverted from it by a very improbable and unnecessarily complicated plot, so little reconcilable with our notions of truth and nature, that it communicates an air of improbability even to those parts of the narrative which are so. The character of Belinda St John is little better than the common staple of a tenth-rate romance heroine; nor is Sir William Judkin much superior to the usual run of fascinating villains, who draw forth the sighs of those sempstresses that peruse the volumes of the Minerva Press. To these defects must be added that of prolixity. A whole chapter of fifteen pages is appropriated to the description of the militia and yeomanry of the county of Wexford; and we should not do justice to the completeness of the description, if we were not to say that, to the best of our belief, no part of their accoutrements is forgotten. Mr Puff's description of Queen Elizabeth's side-saddle, (a description unhappily lost to the world,) could alone have furnished a worthy parallel. The personages in this tale, especially those who are in humble life, talk a great deal too much, and often inappropriately; and whenever we approach an interesting event, we are kept provokingly long in tantalizing suspense. Though 'the 'Croppy' is, on these accounts, inferior to some of Mr Banim's earlier performances, it is not to be supposed that it does not contain passages which display the characteristic vigour of his style. Among these is the following description of the burning of a Croppy's house, with the horrible accompaniments of flogging and half-hanging, which were then, we fear, not unsparingly used by the inferior satellites of power to recall a misguided people to reason:—

'The smith kept a brooding and gloomy silence; his almost savage yet steadfast glare fastened upon the element that, not more raging than his own bosom, devoured his dwelling. Fire had been set to the house in many places, within and without; and though at first it

crept slowly along the surface of the thatch, or only sent out bursting wreaths of vapour from the interior, or through the doorway, few minutes elapsed until the whole of the combustible roof was one mass of flame, shooting up into the serene air, in a spire of dazzling brilliancy, mixed with vivid sparks, and relieved against a background of dark-grey smoke.

'Sky and earth appeared reddened into common ignition with the blaze. The houses around gleamed hotly; the very stones and rocks on the hill-side seemed portions of fire; and Shawn-a-Gow's bare head and herculean shoulders were covered with spreading showers of the ashes of his own roof.

'His distended eye fixed too upon the figures of the actors in this scene, now rendered fiercely distinct, and their scabbards, their buttons, and their polished black helmets, bickering redly in the glow, as, at a command from their captain, they sent up the hill-side three shouts over the demolition of the Croppy's dwelling. But still, though his breast heaved, and though wreaths of foam edged his lips, Shawn was silent. And little Peter now feared to address a word to him. And other sights and occurrences claimed whatever attention he was able to afford. Rising to a pitch of shrillness that over-mastered the cheers of the yeomen, the cries of a man in bodily agony struck on the ears of the listeners on the hill, and looking hard towards a spot brilliantly illuminated, they saw Saunders Smyly vigorously engaged in one of his tasks as disciplinarian to the Ballybreehoone cavalry. With much ostentation, his instrument of torture was flourished round his head, and though at every lash the shrieks of the sufferer came loud, the lashes themselves were scarce less distinct.

'A second group challenged the eye. Shawn-a-Gow's house stood alone in the village. A short distance before its door was a lime-tree, with benches contrived all round the trunk, upon which, in summer weather, the gossipers of the village used to seat themselves. This tree, standing between our spectators and the blaze, cut darkly against the glowing objects beyond it; and three or four yeomen, their backs turned to the hill, their faces to the burning house, and, consequently, their figures also appearing black, seemed busily occupied in some feat that required the exertion of pulling, with their hands lifted above their heads. Shawn flashed an enquiring glance upon them, and anon a human form, still, like their figures, vague and undefined in blackness, gradually became elevated from the ground beneath the tree, until its head almost touched a projecting branch, and then it remained stationary, suspended from that branch.

'Shawn's rage increased to madness at this sight, though he did not admit it to be immediately connected with his more individual causes for wrath. And now came an event that made a climax, for the present, to his emotions, and at length caused some expressions of his pent-up feelings. A loud, crackling crash echoed from his house; a volume of flame, taller and more dense than any by which it was preceded, darted up to the heavens; then almost former darkness fell on the hill-side; a gloomy, red glow alone remained on the objects below; and nothing but thick smoke, dotted with sparks, con-

tinued to issue from his dwelling. After every thing that could interiorly supply food to the flame had been devoured, it was the roof of his old house that now fell in.

'"By the ashes o' my cabin, burnt down before me this night—an' I stannin' a houseless beggar on the hill-side, lookin' at id—while I can get an Orangeman's house to take the blaze, an' a wisp to kindle the blaze up, I'll burn ten houses for that one!"

'And, so asseverating, he recrossed the summit of the hill, and, followed by Peter Rooney, descended into the little valley of refuge.'

Many of the faults which appear in 'the Croppy,' are also perceptible in Mr Banim's last work, 'the Denounced.' It consists of two tales, 'The Last Baron of Crana,' and 'The 'Conformists;' of which the latter is the best. The former is not uninteresting, and contains pretty good materials for a melo-drama; but we cannot venture to extend our praise much farther. The latter is at once more forcible and more simple—relying for its effect rather on the developement of character than on intricacies of plot, unexpected turns, and mysterious complications of events. It illustrates, very interestingly, the effects of one of those many forms which Anti-Catholic tyranny assumed, during that golden age of intolerance which succeeded the revolution of 1688;—of that cunningly oppressive statute, which, in the hope to keep clipped the ever-growing wings of Roman Catholic power, deprived the obnoxious sect of a free participation in the blessings of education; and made it penal for any Papist to exercise the calling of schoolmaster, or even to give instructions as tutor in a private house. The obstacles thus imposed, naturally induced many Roman Catholics rather to let their children remain uneducated, than expose them to the influence of Protestant teachers: and indeed such was the spirit of the times, that hardly any Protestant teacher could be found willing to take up his abode under the roof of a Catholic gentleman, for the purpose of instructing his Catholic children. The evils resulting from such a state of things, are well shown in the tale of 'The Conformists;' where Mr D'Arcy, a Roman Catholic gentleman, having sent abroad, for education, his eldest son, finds it difficult to educate the second, whom he is obliged to retain at home. Daniel D'Arcy is thus neglected; and at length, when on the verge of manhood, is awakened to a painful sense of the disadvantages under which he has laboured. The growing feeling of inferiority and of wrongs, the desire of improvement, and the inability to gain it, acting upon a proud and sensitive temperament, are extremely well described. Daniel D'Arcy reminds us a little of the author's John Nowlan; and the developement of his wayward, moody, impassioned character, is managed with almost equal skill, and proves Mr Banim to be no

mean proficient in displaying the morbid anatomy of our moral nature. There are many striking scenes in this tale, the whole of which is well calculated to rivet the attention. We would particularly point out the domiciliary visit to the concealed priest, and the midnight search of the D'Arcys after their son, who, they believed, had left them with the intention of committing suicide. The following is a plain and sensible exposition of the mischievous ingenuity with which the lawgivers of other times laboured to entail poverty and depression on the Catholic population of Ireland:—

'The D'Arcys and their visitors were sitting after dinner, when a group of tenants, of a respectable class, came before the parlour-windows, and desired to speak with "the masther." Hugh readily granted the interview; and after a good deal of vehement conversation, Daniel collected the following details.

'At the time that Hugh D'Arcy purchased his estate, it was, as has been noticed, well farmed, and equally profitable to him and his tenants. Hitherto, under the former proprietor, the men, or their fathers, had held long leases, protected by which, they had, for their own sakes, cultivated their grounds to the utmost. When Hugh D'Arcy became their landlord, those leases had nearly run out; but he engaged to grant renewals for ninety-nine years at the proper time; and, thus encouraged to continued industry, his farmers still felt an interest in the improvement of his estate. But, before Hugh could fulfil his promise, a statute of Anne interdicted him from doing so, declaring all Roman Catholics incapable of holding any lease for any term exceeding thirty-one years. This was awkward enough. But, as if to prohibit an adventurer from taking advantage of his own exertions, even during so limited a space of time, a clause followed, by which, if a farm produced a profit greater than one-third of its rent, the lessee's right in it was immediately to cease, and to pass over to the first individual of the established creed who should discover the rate of profit.

'These regulations produced on Hugh D'Arcy's estate the same results which flowed from them all over the country. They put a stop to the cultivation, eagerly begun towards the end of William's reign, and which promised fair to amend the national ravages of a civil war just subsided. Catholic farmers, seeing themselves deprived of long and advantageous holdings, and even from the profits which they might hope to amass under short tenures, ceased to be agriculturists, and commenced graziers. Lands were no longer drained and enclosed; good houses were no longer built on them, or those previously standing repaired; pasturage wasted the fields, which were virtually forbidden to be cultivated; and the real yeomen of Ireland sunk in the scale of social importance, and along with becoming poor, grew indolent and apathetic in pursuits which required little industry and less labour.

'In the first instance, indeed, Hugh D'Arcy found, that, so soon as their old leases dropped, many of his best tenants altogether declined

taking renewals at the term prescribed by law, but, preferring emigration to poverty at home, abandoned their native country, and sought elsewhere a freer soil to reward their labours. Those who came in their stead, under leases of thirty years, or old lessees who remained, pursuant to the same covenant, were unable from the outset to pay him the usual rents, and he, along with them, became a poorer man. From year to year they still fell off, or else threw up their tenures in despair, and absconded, leaving some of his once most productive farms unoccupied, as well as exhausted, and run wild. And, day after day, things had been growing worse with the tenants who still struggled for an existence upon his estate, until the evening in question, when the group, who appeared at the parlour-windows, proved to be composed of the men in whom almost his last hopes rested, but who now came to obtain a yet more considerable reduction of rent, under the threat of following the example of former friends, and emigrating in a body, if their proposition should be refused.'

'Yesterday in Ireland' consists of two tales, which describe the events of two *yesterdays*, separated by the intervention of not much less than a century; the former being laid in the reign of Queen Anne, the latter in 1798. The first tale, called 'Corramahon,' is a weak offset from the Waverley stock, transplanted, without much success, into Ireland. The author has chosen a good period, and collected interesting materials, but he has not used them with much skill. His tale contains all the ingredients necessary for producing the strongest effect—religious and political feuds—persecutions—outlaws—refugees—battles—duels—abductions—murders—seductions—and a broken heart; gay, bold-faced villains in regimentals—mysterious ladies, in the guise of nuns—and half-savage, half-civilized Irish chieftains. We have also some stirring circumstances growing out of the disgraceful persecuting statutes of that period, by which a Papist might not ride a horse worth more than L.5; by which a son, converted to Protestantism, might claim a third of the estate during his Catholic father's lifetime, and the whole at his death; and by which a relapse to Popery entailed outlawry, and the celebration of the mass was felony. Yet in spite of all that ought to render the tale interesting, we are obliged to say that it is flat and heavy. The author has a correct, agreeable style. He also describes clearly, but he does not breathe life into his story. Nothing is told as if by an eye-witness, or by one much interested in the fate of the persons introduced. The language which his characters are made to speak is perpetually fluctuating between the familiar and the romantic, without exactly belonging to either; and appears to be taken less from life than from books, and those books the Waverley Novels. Squires and sub-sheriffs talk occasionally in

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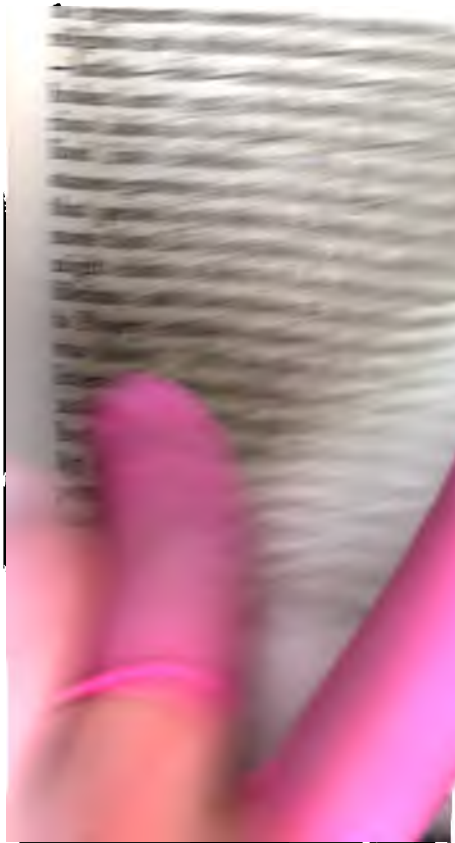

the style of Ivanhoe. An Irish attorney steps up to a Catholic gentleman, and calls him 'Sir Papist:' *Mister* Papist, the man should have said, but that would not have been in the heroic style. An Irish squire of Swift's time talks thus to an English Major of Dragoons. 'Tis the mode of the day, caught up from 'our dear rulers the English, to be fickle to women, and the very 'barbarians of the wilds have learned it. Ye import vanity and 'vice to occupy and corrupt us, Sir Stranger; whilst ye bring 'tyranny and chains to load us with.' This squire does not always, however, speak in 'Ercles' vein.' He sometimes descends to such language as, 'Swallow it, you dog; do you make wry 'faces at usquebaugh, as if it were medicine?'—which, in spite of its inferior elegance, we strongly suspect to be much more in character. As a good specimen of the more serious parts of the tale, we will give the following picture of a Rapparee's vengeance on a sub-sheriff:—

'At a sign from Ulick, M'Crosky was made to descend, was unbound, and surrounded by the gang. They proceeded to strip from him the habiliments that he had borrowed from his comrade, Clement, on the preceding night. The execution of this order wound up the terrors of the poor attorney to the highest pitch.

'"You will not kill me, O'More, you will not kill me! I have your promise."

'"And I will keep it. Do you take me for the executioner of my region? or think you, I would sully my skene with your black heart's-blood?"

'"No: you will be merciful?"

'"Will *he*, think you, be merciful? Plead to him."

'"Who, where?" cried the terrified Sub-sheriff, peering forth whither the finger of the Rapparee pointed, but without being able to perceive aught.

'"You were wont to be sharp-sighted. Mark you not a bird that wheels yonder round and round? That scream came from it. Sweet, was it not? And now it has alit."

'It seemed an animal of the vulture tribe, of voice and features as sinister as would become an executioner, for so Ulick termed it.

'"He and his race," continued the Rapparee, "are and have been from old time the hereditary avengers of our tribe. These false years of peace have been hungry ones to them as to us; yet they are faithful, and forsake not their old haunts. But now the Orangemen are about to invade O'More's country—they shall have carrion."

'This mystification was needless in Ulick, for his victim was almost insensible from terror. The Rapparee saw that he could no longer draw out or refine by words the punishment he meditated. He therefore bid his followers dispatch; and their doing of his behest was speedy. They stripped the ill-starred M'Crosky, then placed upright the body of his guardian patron, young Burton, and bound with cord

and wythe together the living and the dead, the former rending the air with prayers and clamour. The Rapparees were inexorable; the bodies were flung down in that lofty recess, exposed to the birds of prey that haunted it, and about to bleach ere long with their bones the spot that their bodies now covered.'

The other tale, called, 'The Northern of 1798,' is very superior to 'Corramahon.' The author seems more in his element, and quits imitation; and we recognise with pleasure the agreeable pen which gave us such vivid descriptions of Italy and its visitants. The feelings, motives, and proceedings of the different factions that appeared together upon the turbulent stage of the Irish Rebellion, are clearly and powerfully pourtrayed; and it is in pictures of this kind that the author principally excels. His talents seem better adapted for political history, than for historical novel-writing. We have some characters excellently described, but they are described in the tone of an historian, and better in their public than in their private capacity. As a specimen, we will give the following portrait of Mr Ryves:—

'He was a young man, somewhat Winter's senior, of the most prepossessing manners and appearance; mild, and yet manly; fair, and with a countenance naturally the most open. His very early engagement in political life had given him a staid, reserved manner, which in one of his rank seemed proper dignity, not haughtiness; it was polished too with extreme courtesy, and bespoke that rare union of being at once guarded, yet at ease. The *volto sciolto, pensieri stretti*, was never better followed, or exemplified. If a keen and malicious observer could descry any crevice in this armour of polish and proof, any one trait that bespoke dissimulation, and betrayed the cloven foot of the politician, it was a factitious heat that would at times burst forth—a warming of the temper, and a rising of the voice at any strong subject, that seemed not natural but assumed; it was the vain attempt of a cold disposition to affect the warmth it did not feel;—and it is the manner of all cold people, who have been so situated as to be obliged to address popular assemblies.

'This tendency,—this contrast betwixt his temperament and that which was required of it, was increased by the times, and by his education. The latter had taken place partly in England, at a period when the unfortunate leaders of toryism disgraced its principles, and the liberal principles were spreading wide and irresistibly their influence over the land, until the French Revolution occurred to throw whiggism and liberality into the background for full a century. Ireland, too, whither Mr Ryves returned, was then in the glow of volunteering glory and independence: the popular was the promising side. Lord Castleryves had never been a decided character, and his nephew and heir was free to choose his side,—more free, indeed, as the family possessed neither borough nor influence. Mr Ryves chose, therefore,

the popular side. He professed himself a whig, and was in consequence elected an independent member for a northern county. He was a leading member, or had been, of the famed Northern Whig Club, whose address to the forty-shilling freeholders in the year ninety-six, pointed out the very path since followed by these gentlemen in Clare.'

Orde, an amiable but weak-minded man, drawn into rebellion against his judgment, and forced by circumstances into situations for which he is unfit; and Winter, his brother-in-law, a hot-headed, enthusiastic revolutionist of the French school, are very well drawn. The latter holds the following conversation with Ryves, as they ride home from Gorbalstown, which has been sacked and burnt, and its inhabitants butchered, under the superintendence of an Orange Magistrate.

'"What a harrowing scene!" exclaimed Winter, after having ridden long in silence. "I would our legislators and governors saw it, if indeed such men have bowels."

'"Yet you did not seem much affected by pity," replied Ryves.

'"My pity was swallowed up in indignation."

'"Yet if I may judge from the little you allowed me to overhear, you recommended these Gorbals to suspend theirs, and bide their time. If this was indignation, 'twas preconceived; if 'twas passion, there was much method in it, Winter." Winter did not reply. "You bade them check and yet cherish their resentments—did you not? await circumstances, organize, arm, make themselves formidable, ally with one half of their murderers, in order to fall with force upon some few of the other half, and all the rest of the land. This is rebellion, Winter, treason."

'Winter replied by a well-known epigram.

'"It is at least to make general throughout the kingdom the bloody scene we have just witnessed, and for what end?"

'"My good Ryves, you exaggerate, or your fears do so. It was an old and received principle amongst the friends of liberty, and amongst them, Ryves, we once stood side by side, that nothing short of menace and stern necessity could force our time-serving, base, and selfish governors to concede a right, or to hold the balance of justice even. I would organize this feeling, and put a wide face of menace on the land."

'"You may put a face of menace upon a bulwark or a fortress wall, but on man's how will you keep it an instant, if it prove unsuccessful, from degenerating into violence?"

'"And if it should, on whom will rest the fault, on whom the crime?"

'"Winter," said Ryves, solemnly, "let me conjure you,—but first of all, that you may avoid ill-bestowed frankness, I will avow, that you are no longer to count me amongst the friends or advocates of popular rights. Your extravagance has frightened me,—I am no longer even Whig—for I feel the necessity of every man's applying

his weight to the right end of the beam, instead of placing himself idly in the middle, when all balance is threatened with overturn."

'"And so much for the day-dream of liberty!" ejaculated Winter; "so much for the Goddess we have worshipped, and before whose altars we oft have enthusiastically vowed to offer every sacrifice!"

'"It is to her, Winter, that I am about now to sacrifice popularity, friendship, old principles and views—all: for I see the existence of freedom is threatened."

'"And do you make a sacrifice of principle,—you?"

'"Hear me, my friend. At the present day every man is a Whig in theory, nor will I argue against the noble tenets of that sect."

'"You will only *act* against them, Ryves. But why make excuses, why plead with our friend, the mad Burkite, who in his metaphysical blundering, will tell you that Whiggism is absolute truth and wisdom, Toryism contingent ditto? Your philosophy is his, and I can respect it; the more so, as, in my opinion, the principles of both parties are mere selfishness, and that the more both disgrace themselves the better, in order to their giving place the sooner to honester men."

'"Which be your committee, your united democrats, your Directory in short, who look to France for aid. And are you mad enough to trust them? Or can you hope, that a power which navigates the ocean by stealth, can ever succeed in lopping off this right arm from the mistress of the seas?"

'"Yet had Hoche landed his ten thousand the other day."

'"Wild dreams, Winter! No success here will ever avail against England, unless you can annihilate her, sink her in the ocean. Even if you conquer her, she will become the seat of government; if others conquer her, you but change masters. And if she be not conquered, you must look forward to an eternity of war. If you understand the simplest rule of political geography, you must be convinced that Ireland is inseparable from England."

'"Look at Portugal," said Winter, "with Spain on its frontier, capable of swallowing it up, and yet——"

'"Well," said Ryves, "let us go no deeper into politics. I quit my party, but I have reserved a place for you in it, since you must prefer it to the other. It will lead to eminence, to fame; make you independent of hopes merely adventurous and criminal, and save you, my friend, from a fate that impends at this moment o'er you, though you will not see it."

'"I thank you, Ryves, but am above temptation. My patriotism is not built on selfishness, however the latter will intrude at times, and in dreams. I am too far gone, however, to recede: not that I am implicated, as you think, or that our views are treasonable, however we may speculate in the regions of possibility. Time and events must be the agents of revolution, not such poor individuals as Theobald Winter——"

'Ryves interrupted this by a gesture indicating disbelief.

'"Should it prove so, Winter, you must expect to find in me a vigilant enemy."

'"Is it even so?"

'"One of the many blessings of a civil war—the severing of friendship, the arming of brothers one against the other."'

The author, though he leans towards Toryism, is tolerably impartial in his picture of the Rebellion, and spares neither the ferocious insolence of the Orange party, nor the savage bigotry of the Catholics. The difficulties of a rebel leader, who has assembled under his banner an infuriated and undisciplined mob, whom he can neither guide nor control, are forcibly shown in many parts of the tale; and not least in the final battle at the field of Tara.

'The sun had risen a couple of hours ere Winter learned the intentions of the loyalists. He instantly communicated them to his troops, who received the tidings with shouts of savage joy. This betokened alacrity. But when he sought to act the general, to marshal his men, to detach numbers of them to the plain and to divers positions, each and all objected. Tara was sacred ground. They could not be defeated on Tara Hill. "Death there was martyrdom. How could they abandon so enviable a post?" Not a single man could be got to stir from its circuit. Winter raged and imprecated: it was in vain. All he could do, was to mingle in the crowd, and die bravely in the ranks, since command was a thing impracticable.

'Such was the state of things: the insurgents thronged together upon the hill of Tara, some within the forts and on the summit, the greater number without, and occupying the declivity of the hill in a mingled mass, armed indeed, but without discipline or order, when the little army of the loyalists made its appearance, marching on towards Tara. The insurgents evinced their eagerness by cries, but nothing could induce them to leave their sacred hill, and they accordingly allowed their enemies to approach and manœuvre without molestation, and to form in quiet every preparation for attack.

'Winter could have wept with rage and disappointment. This was the bright morn that he had for years been expecting, that he had been years foreseeing and providing for. This was the crisis, the hour in which the independence of Ireland and his own immortal fame were both to be decided and sealed together. He had longed for it, anticipated, fancied it, and in promise he himself had been the efficient leader, the hero, whose dispositions were to secure the victory, and whose valour was to crown it. Insubordination he might indeed have reckoned upon, but at such a time, he imagined, it must have given way to a sense of the necessity of allowing one to provide for the conduct of all. He was disappointed. He could scarcely hope for victory, easy as it seemed of attainment, and so overpowering as were the numbers of the insurgents. But these flocked more like sheep, than soldiers. The possession of the hill was unfortunate to them, since on level ground they would have been compelled to form ranks and fronts, and to have observed some discipline. But from the steep declivity on which they stood, each could present his musket

over the shoulder of the man before him, and even he who could stretch forth nought but a pike from the rear of this thick phalanx, deemed himself in a fit and fair position for resisting or slaying his enemy.

'The battle of Tara is briefly told. It consisted of a single onset, at most of a few charges made by the yeomanry horse and foot, under Lord Fingal and Captain Preston, upon the tumultuous body that occupied the hill. The rebel fire killed a few rebels, but scarcely a single man of the loyalists; and when these rushed to the charge, the rebels shrunk on all sides from the cavalry, wherever they penetrated. Like all mobs in action, they ran away, lest their toes should be crushed by the horses' hoofs. In half an hour the sides of the hill were completely free of the armed rabble, that had so lately covered it like a crop of corn; and the few defenders of the ruined Danish forts were soon after driven from the intrenchments by the victorious yeomen, and slaughtered, bravely defending their rude ramparts to the last. Here perished the rest of the unfortunate Gorbals; and here perished the hopes of Winter, and of the United Irish, for what they called the independence and liberty of their country.'

The author of 'The Collegians' combines more force with eloquence, more polish with picturesqueness, more dramatic power, both of a tragic and comic kind, with pleasing descriptive talent, than perhaps either of the other authors before us. He has not the vigour of Mr Banim, but he is more agreeable; he has not the correctness of the author of 'Yesterday in Ireland,' but he has more vivacity, variety, and freedom. He has considerable knowledge of effect—imagines striking situations, and does them justice in the telling; and though he attends much to incident, is not inattentive to traits of character, which he frequently exhibits with considerable skill.

'The Collegians' is a very interesting and well-constructed tale, full of incident and passion. It is a history of the clandestine union of a young man of good birth and fortune with a girl of far inferior rank, and of the consequences which too naturally result. The gradual decay of an attachment which was scarcely based on any thing better than sensual love—the irksomeness of concealment—the goadings of wounded pride—the suggestions of self-interest, which had been hastily neglected for an object which proves inadequate when gained—all these combining to produce, first, neglect, and, lastly, aversion, are interestingly and vividly described. An attachment to another, superior both in mind and station, springs up at the same time; and to effect an union with *her* the unhappy wife is sacrificed. It is a terrible representation of the course of crime; and it is not only forcibly, but naturally displayed. The characters sometimes express their feelings with unnecessary energy, strong emotions are too long dwelt upon, and incidents rather slowly

developed; but there is no common skill and power evinced in the conduct of the tale. As a specimen of the author's ability to treat dramatically and effectively a striking situation, we extract the following description of the troubled sleep of the guilty husband, after having given orders to a servant for the removal of his wife, either by abduction or murder.

'They now proceeded with their employment in silence, which was seldom broken. Any conversation that passed, was carried on in low and interrupted whispers, and all possible pains were used to avoid disturbing, by the slightest noise, the repose of their weary guest and patron.

'But the gnawing passion hunted him, even into the depth of sleep. A murmur occasionally broke from his lips, and a hurried whisper, sometimes indicative of anger and command, and sometimes of sudden fear, would escape him. He often changed his position, and it was observed by those who watched beside him, that his breathing was oppressed and thick, and his brow was damp with large drops of moisture.

'"The Lord defend and forgive us all!" said Phil, in a whisper to his wife, "I'm afeerd, I'll judge nobody, but I'm afeerd there's some bad work, as you say, going on this night."

'"The Lord protect the poor girl that left us!" whispered Poll.

'"Amen!" replied her husband, aloud.

'"Amen!" echoed the sleeper;—and following the association awakened by the response, he ran over, in a rapid voice, a number of prayers, such as are used in the morning and evening service of his church.

'"He's saying his litanies," said Poll. "Phil, come into the next room, or wake him up, either one or the other, I don't like to be listenin' to him. 'Tisn't right of us to be taking advantage of any body in their dhrames. Many is the poor boy that hung himself that way in his sleep."

'"'Tis a bad business," said Phil; "I don't like the look of it, at all, I tell you."

'"My glove! my glove!" said the dreaming Hardress, "you used it against my meaning. I meant but banishment. We shall both be hanged, we shall be hanged for this"——

'"Come, Phil! come, come!" cried Poll Naughten, with impatience.

'"Stop, eroo! stop!" cried her husband. "He's choking, I b'lieve!—Poll, Poll! the light, the light! Get a cup o' wather."

'"Here it is! Shake him, Phil!—Masther Hardhress! Wake, a' ra gal!"

'"Wake, Masther Hardhress, wake! sir, if you plase!"

'The instant he was touched, Hardress started from his chair, as if the spring that bound him to it had been suddenly struck, and remained standing before the fire in an attitude of strong terror. He did not speak—at least, the sounds to which he gave utterance could

not be traced into any intelligible form, but his look and gesture were those of a man oppressed with a horrid apprehension.'

There is a good deal of fancy in the descriptions of scenery, but they are apt to be overwrought; and thus the richness of the picture detracts from its clearness. The following extract may serve as an example:—

'An old portress, talking Irish, with a huge bunch of keys at her girdle, a rusty gate lock, piers, lofty, and surmounted by a pair of broken marble vases, while their shafts, far from exhibiting that appearance of solidity so much admired in the relics of Grecian architecture, were adorned in all their fissures by tufts of long grass; an avenue with rows of elms forming a vista to the river; a sudden turn revealing a broad and sunny lawn: hay-cocks, mowers at work—a winding gravel walk lost in a grove—the house appearing above the trees—the narrow-paned windows glittering amongst the boughs—the old ivy'd castle, contrasted in so singular a manner with the more modern addition to the building—the daws cawing about the chimneys—the stately herons settling on the castellated turrets, or winging their majestic way through the peaceful kingdom of the winds—the screaming of a peacock in the recesses of the wood—a green hill appearing sunny-bright against a clouded horizon—the heavy Norman archway—the shattered sculpture—the close and fragrant shrubbery—the noisy farm-yard and out-offices (built, as was then the fashion, quite near the dwelling-house)—the bowering monthly rose, embracing the simple pediment over the hall-door—the ponderous knocker—the lofty gable—the pieces of broken sculpture and tender foliage, that presented to the mind the images of youth and age, of ruined grandeur and of rising beauty, blended and wreathed together under the most pleasing form.

'Such were the principal features of the scenery through which Kyrle Daly passed into the dwelling of his beloved.'

In the comic parts we find many curious representations of Irish society in the last century, which, we fear, are not exaggerated. The pinking scene, the death of the old huntsman, and the duel in the dining-room, are spirited though necessarily disagreeable exhibitions of the brutal Yahooism of the class and period described. After the latter scene comes the following:—

'We cannot better illustrate the habits of the period, than by transcribing an observation made in Mr Cregan's kitchen at the moment of the dispute above detailed. Old Nancy was preparing the mould candles for poor Dalton's wake, when she heard the shot fired in the dining parlour.

'"Run into the gentlemen, Mike, eroo," she exclaimed, without even laying aside the candle, which she was paring with a knife, in order to make it fit the socket more exactly. "I lay my life the gentlemen are fighting a *jewel*."

'"It can't be a *jewel*," said Mike, the servant boy, who was courting slumber in a low chair before the blazing fire—"It can't be a *jewel*, when there was only one shot."

'"But it isn't long from 'em, I'll be bail, till they'll fire another, if they don't be hindered; for 'tis shot for shot with 'em. Run in, eroo."

'The servant stretched his limbs out lazily, and rubbed his eyes. "Well," said he, "fair play all the world over. If one fired, you wouldn't have the other put up with it, without havin' his fair revinge?"

'"But maybe one of 'em is kilt already!" observed Nancy.

'"E'then, d'ye hear this? Sure you know well, that if there was any body shot, the master would ring the bell!"

'This observation was conclusive. Old Nancy proceeded with her gloomy toil in silence, and the persuasive Mike, letting his head hang back from his shoulders, and crossing his hands upon his lap, slept soundly on, undisturbed by any idle conjectures on the cause of the noise which they had heard.'

The tales called 'The Rivals,' and 'Tracey's Ambition,' though containing many good passages, are inferior, and perhaps scarcely worthy of the author of 'The Collegians.' The latter tale, which depicts the struggles and misfortunes of a man who has sacrificed his independence for the hope of advancement, is the best. 'The Rivals,' though abounding in clever sketches, violates probability too grossly. Part of its plot is an awkward parody of 'Romeo and Juliet,' omitting the circumstances which give some colour of likelihood to the incidents of the play. Here one of the Rivals, who had been absent many years, and supposed dead, returns opportunely on the very day of his mistress's intended and half-compulsory marriage with the other, and of her reported death and burial, which latter ceremony actually takes place, and with a haste that is rather unusual. Our Irish Romeo immediately entertains the singular idea of exhuming his mistress, and enters at night into the vault where she is deposited, breaks open her coffin, takes out the body, intending to bury it again in another place—and carries it off to a cottage, where he and an attendant watch over it. Then comes an exquisite incident—the lady, it seems, was only in a trance; she revives, and they marry. It is a pity that the author should have been at the trouble of inventing such fictions, for he has talent enough to create interest and amusement with materials of a simpler kind.

In conclusion, we strongly recommend the perusal of the works above mentioned—of some of them for their intrinsic merits—of the others, for the sake of the country where the scene is laid. Even the most superficial view of the outlines of Irish life—an attention even carelessly turned thitherward for mere amusement, is better than that deep ignorance and callous

indifference respecting all that was Irish, with which the English public was once too justly chargeable. Ignorance and indifference on that subject are not among the prevailing sins of the present day; but still it cannot be otherwise than desirable that, in the intervals of attention to the present realities of Ireland's weal and woe, fiction should recall the warning picture of its past miseries, and of the misgovernment which caused them.

ART. IX.—1. *The Life of Reginald Heber, D.D., Lord Bishop of Calcutta.* By his Widow. *With Selections from his Correspondence, Unpublished Poems, and Private Papers; together with a Journal of his Tour in Norway, Sweden, Russia, Hungary, and Germany, and a History of the Cossacks.* 2 vols. 4to. London: 1830.

2. *The Last Days of Bishop Heber.* By THOMAS ROBINSON, A.M., Archdeacon of Madras, and late Domestic Chaplain to his Lordship. 8vo. Madras and London: 1830.

3. *Essays on the Lives of Cowper, Newton, and Heber; or an Examination of the Course of Nature being interrupted by the Divine Government.* 8vo. London: 1830.

THERE is a chapter in Ferguson's *Institutes of Moral Philosophy*, on the diversity of opinions concerning the morality of external actions, and on the difference of choice which obtains among the parties interested. 'The widow in Europe,' he observes, 'desires to have a good settlement made by her deceased 'husband; in India, she desires to be burnt on his funeral pile.' It may be observed, however, that loosely as the Eastern nations hang to life, (so that suicide is rather a Chinese vice than a Roman virtue,) nevertheless, the individual ladies of Hindostan are not always purely volunteers. Women are substantial members of the Western public; and the two publics of the East and West are principally answerable for this supposed variance in female taste. At the same time, this contrast, striking as it is, will hardly justify the inference of any positive dislike in European husbands to sacrifices and martyrs on these occasions. It is the capital part of the sentence only, against which a prejudice exists among us. Indeed, even this distinction might easily be in danger. The sex has itself recently manifested so much honest female fanaticism upon this very point, that we are convinced the slightest encouragement on the part of our Bramins was alone wanting. In which event the *lex loci* would have been construed to have followed the widow of our Indian bishop

from the Ganges to the Thames; and the New Police could hardly have prevented the celebration of a compulsory *Suttee* in front of the great entrance to St Paul's. On this occasion, instead of the old combustible materials, (the 'twelve vast French 'romances, neatly gilt,' which have been long the appropriate burnt-offering to a profaner Cupid,) a very sufficient *Koorh*, it is imagined, might have been constructed out of the unsold copies of the two ponderous quartos which Mrs Heber has substituted in consecration of her husband's memory.

We are far from meaning to insinuate, that these volumes are fit for nothing but to be burnt. At the same time, when reduced to a tenth of their actual bulk, they will be rendered infinitely more useful, as well as interesting. In their present size and structure, they would have been, under the most favourable circumstances, a rather unreasonable attempt on the pockets and patience of the public. A considerable portion of their substance is so much mere addition to weight and price, and nothing else—rather encumbering than embalming the memory which they overlay. This determination to regard the quantity more than the quality of the contents, can also alone account for the indiscriminate publication of so much ordinary correspondence; the greater part of which, (however sensibly and amiably written, and what could Heber write otherwise?) it would have been no injury to his fame, to have left within the privileged circle of private friendship. In one or two instances, a more serious objection applies. About some feelings of a retired domestic nature, there is a reserve and a sanctity which allow the veil only to be lifted up on solemn occasions, and with a trembling hand. Among these letters, one is, we perceive, indorsed 'To my dear wife, in case of my 'death.' It requests her 'to be comforted concerning him, to 'bear his loss patiently, and to trust in the Almighty to raise 'up friends, and give food and clothing to herself and children.' Any one who had seen an advertisement to this effect, must surely have exclaimed, An enemy hath done this! or would interpret the notice into a scandalous expedient for extorting money by purchasing suppressions. The greater the importance which we attach to private letters, as constituting the only basis of by far the most valuable kind of biography, and as being in themselves one of the most delightful species of composition, (the family circle, the undress and confidential part of literature,) so much the more strongly do we feel called upon to protest against an example which might bring the publication of almost all original correspondence into disrepute. The imprudence of executors, or something worse, in such as have had more of the

vulture than the jackdaw in their nature, has already compelled many a man of genius, when upon his deathbed, to burn without reserve every scrap of paper within his reach. There is only one additional precaution, (and this Lord Chesterfield probably would have taken, could he have foreseen what happened,) that of calling in his letters. If the public should be once revolted by indiscretions arising from want of judgment or of feeling in cases of this description, the delicate and right-minded relations of eminent men cannot be long trusted to rely on their own impressions. They will become discouraged and alarmed; and finally shrink from encountering a prejudice which, like most other prejudices, is not likely to take the trouble of distinguishing. Thus we shall be all losers. The observer who delights in the moral and metaphysical anatomy of man, as well as the enthusiast, who loves to draw nearer and nearer to the presence of that excellence, which 'though dead yet speaketh,' will find themselves deprived of the most natural opportunities of studying the noblest specimens of the human heart in our public schools. A delicate sensibility, or at least forbearance, is expected from individuals. It will never do for private persons to follow the precedent of that prudent corporation, the Dean and Chapter of St Paul's, and convert the mausoleum of the dead into a panorama for raising money.

The other work, *The Last Days of Heber*, consists of extracts from a private journal kept by Mr Robinson, the present Archdeacon of Madras—a chaplain worthy of such a master. It extends over the few months during which he accompanied the missionary Bishop on an Episcopal visitation, or rather pilgrimage, to Ceylon and the southern part of this imperial diocese. Accordingly, it is in close connexion with, and indeed forms a most affecting supplement to, Heber's own journal of his earlier tour through the northern provinces. It is by no means creditable to the discernment, taste, or charity of our religious exclusives, that their criticisms on the tone of the Bishop's personal narrative, made this second publication necessary, for the sake both of truth and of rational piety. In vain had the general reader been delighted to find at last, a book on India, which he could read and understand. Its lively and familiar sketches of scenery and manners were in some degree what the journey itself would have been—a journey over the most classical part of India, made in the company of Heber. The sense of this sweet companionship was the charm of every page, and atoned at first even with ex-collectors and retired judges, forsuch deficiencies in knowledge as a long civilian residence only can supply. In the meantime, a considerable portion of the serious world was

heard murmuring their disappointment in no very under tone. They recognised there the hundred talents, attainments, and endearing qualities of the scholar and the gentleman. But, finding few traces of the peculiar colouring,—that 'dim religious 'light' in which they insist that every subject, at all seasons, and in all places, should alike be clothed,—they broadly intimated their apprehensions, that the overflowing accomplishments both of his heart and understanding, were little better than brilliant weaknesses, if not splendid sins.

There are times when any man whose opinions are thought worth enquiring about, must embrace a party, or expect to lead the life of a flying-fish, which, as exclusively attached to neither element, the albatross pursues if it ventures into the air, and the dolphin is watching for in case it drops into the sea. The tactics of church politics are in this respect not one whit more charitable than lay. Heber had the misfortune (to a man of unaffected piety it is a great one) to live in an age when a friend to religion was in less estimation and request than a religious partisan. What could our jealous factions do with a divine, who, whilst he was elevated by a true heavenly-mindedness above any possible prevaricating subjection of religious to mere ecclesiastical considerations, remained at the same time so far master of himself, as never, in the fervour and fever of the most excited devotion, to forget either benevolence and moderation, or simplicity and good taste? Under these circumstances, the only approximation in his behalf, on which the fanatics of both sides could meet, was a sort of neutral position, of mixed admiration and suspicion, whence he was occasionally lauded, and occasionally fired upon, by both. His remark on the dilemmas among which he had to pilot, in writing a review of Southey's *Life of Wesley*, shows that he was not insensible to the personal disadvantage of being less fierce and foolish than the greater part of his profession. 'It is no easy matter to give Wesley his 'due praise, at the same time that I am to distinguish all that 'was blameable in his conduct and doctrines; and it is a very 'difficult matter indeed to write on such a subject at all, with-'out offending one or both of the two fiercest and foolishest 'parties that ever divided a church—the High Churchmen and 'the Evangelicals.' Accordingly, he was at different times equally misunderstood and misrepresented in opposite directions. As often as either party discovered that he would not go all lengths with them, they concluded he must of course be in the interest of their opponents. An ingenuous simplicity of purpose left him in this perplexity none of the ordinary evasions of more crafty politicians, either by nominal compromise, or in

conniving silence. A diffidence and yielding facility of temperament have been imputed to him as defects for government; but very unreasonably; for, however invidious or painful the occasion, he is found, throughout these volumes, uniformly and readily avowing his real opinions, with a manliness derived from a nobler source than mere constitutional courage. There are no signs of shrinking, whether in his parish or his diocese, from the honest discharge of what he feels to be a duty. When that duty required it of him, we see him, as a parish priest, closing his pulpit against the Calvinist doctrines of the near relation of a respected friend and neighbour; and afterwards, as a prelate, maintaining ecclesiastic discipline among his guerilla clergy by the outstretched arm of earnest episcopal reproof. Thus, too, could neither love of ease nor temporal fear or favour keep him over his books, when an enlightened conviction called him openly to declare himself in favour of Roman Catholic emancipation, as the friend of religious liberty; or to attend at a Bible Society, as the friend of religious truth.

Heber, fellow of a college, and a clergyman of the Church of England, had, at starting, disdained to truckle to the narrow prejudices of his university and his order. Later in life, after it was notorious that without a temporising apostasy, no degree of genius or virtue was title good enough for the English Bench of Bishops, he had the moral courage to keep his ground; and whilst bitterer and bolder spirits quailed, he refused to qualify for the purple by abjuring the liberal principles of his youth. As regards the ordinary dispensers of church preferment, the sacrifice of merit to favouritism and to jobbing, to family provision and election interests, has been hitherto too much a matter of every-day occurrence to allow it to be truly said, 'Heber 'alone escaped their judging eye.' It is not the less a fact, that his Benefice was a family living; his Lincoln's Inn Preachership was by the nomination of lawyers; his Bishopric, *in partibus infidelium*, was the gift of private friendship, which happened to preside at the India Board at the time. The man, of whom the universities and parsonages of England now acknowledge that they have so much reason to be proud, was thus left to the accidental patronage of laymen, and was almost to the last every thing but disowned by his most powerful brethren in the establishment which he loved.

A sort of professional excommunication was the understood penalty, within so recent a period, of a liberal and independent course. Heber had a spirit which would gladly undergo it, rather than bring himself to look on Christianity as a concern of no higher dignity than the rules and revenues of a monastery.

On the other hand, the dissatisfaction to which we have alluded, as latterly breaking out against him from the opposite quarter of the heavens—from the *extreme left*—must, in one sense, have been more painful, as being connected with more important principles. For the difference on which it rested relates not to the temporary policy of any single church, but grows out of the very groundwork of all religious character. Notwithstanding the late Mr Butterworth had 'thanked God for such a 'man,' the Bishop's complexion and habits were soon represented to be not sufficiently and spiritually severe. The thunders of his own pulpit at Calcutta were on one occasion indecently turned against himself. On the posthumous publication of his Journal, the reproach was resumed and deepened. The martyr crown of Trichinopoly was spoken of as though it were only some vulgar mitre—Ely or Exeter—things which, time out of mind, have been the traditional pay of a boroughmonger's tutor, or the bribe of a prime minister's factious and servile tool.

On the whole, Heber contrived to live down most of the suspicions of his High Church brethren. In reply to the Evangelicals, we have welcomed therefore, with great delight, the appearance of Mr Robinson's *Diary*, since almost every sentence in it is a refutation of their most precipitate and uncharitable surmises. In such a case, the existence of any evidence to contradict was very improbable. It is owing to two accidental circumstances. First, that the Bishop should have fallen in at the spot, on his second visitation, with a chaplain, who entered so thoroughly into his character and his views. Next, that a family correspondence, carried on as a journal by this chaplain, should have occasioned incidentally the preservation of these touching memorials of the labour and the love under which his strength was visibly consuming. He himself had made no record of his zeal. A deep piety was (and always had been from his childhood) so natural to him, that he seems to have been in a great degree unconscious of its force. Besides, his sweet and humble temper precluded every thing which could look like exaggeration or display. It is the characteristic of devotional no less than of every other class of feelings, that when in their highest state of confidence and perfection, they work easily and silently, as the most exquisite machinery will move with the least noise. The most exacting religionist, on reading this simple notice of their proceedings and conversation day by day, must admit, that if Heber did not himself compel all his energies and feelings to flow in one single channel, or put this part of his character prominently forward on all occasions, or steep every thought in the peculiar hue of Scriptural expression, it

was from some more creditable cause than an indifference concerning the prospects of Christianity in the East, and that apostolical vocation to which he had been called. A misapprehension, which could lead to such injustice, ought surely to make his censors pause over their presumptuous criteria of righteousness as tested by *this* species of abstinence, or by *that* form of speech; and might teach them to leave off thanking God that they are not like the publicans around them. But it would serve a still better purpose, in case the contrast of the two different schemes of Christian life and conduct, out of which this misconception has arisen, should induce them to revise the grounds on which such a diversity can exist. This consideration has directed our attention to the judicious and elegant essays on the religion of three celebrated individuals, as appropriately distinguished under the description of the despondency of Cowper, the enthusiasm of Newton, and the religion of Heber. It is accordingly to the points of view raised by so seasonable a comparison, that we shall confine our observations on Heber's *Life*.

The practical part of religion is that which comprises the relation of man to God. It is the greatest of all subjects. Instead of it being true that the contents of revelation require a prostration of reason, in no subject of human enquiry is a calm and entire possession of the understanding more absolutely necessary. For, the reasonableness of the terms of that relation, as they are understood to be declared in revelation, is a point which every one (or he abdicates in this instance his duty as an intelligent creature) is bound to ascertain when called on for his belief. Among the rival claims set up under a hundred different religions—or under a hundred different interpretations of a religion thus rendered only nominally the same—there is no other method by which this can be ascertained but by the exercise of the understanding. Whosoever means to be any thing more than the slave of accident, is required, on two accounts especially, to take this trouble. First, in respect of the immediate influence which so powerful an agent as religion, under whatever form it is received, must exert on the happiness of man in his present state of existence. Next, in consequence of the fact (admitted by the most celebrated writers), that the reasonableness of a religion must be assumed, as an indispensable condition of its truth. In the temper of the present age, not a minute's hearing could be obtained for Christianity in any parish in Great Britain, were the duty of persecution,—so familiar to our ancestors, whether called Roman Catholics, Covenanters, or Puritans,—still insisted upon, as being 'part and parcel' of the Gospel of Peace. The fiercest spirit among us would shrink from a text of Scripture

that was steeped in human blood. Unfortunately, where the exaggeration or misconception of religious truth does not extend to life or limb, an ample sphere is still outstanding, within which a considerable latitude is left for breaking down much of the substantial usefulness of virtue, and of the charities of private life. In religious opinions, as in every other case, when calculating cause and effect, it is necessary to keep the subject matter of the experiment, as pure and unmixed from all other co-operating circumstances as possible. No species of criterion should be neglected: but characters of superior station, ability, and education, are exposed to a great variety of counteracting and modifying influences. Religion finds the body of the people in a simpler state; and, where it acts on them at all, has them more exclusively to itself; also, as they form the immense majority, the more conclusive view of this part of the experiment is the effect which different representations of religion seem to make on this, by far the most important, class.

The history of Olney is very curious, and, we cannot but think, very instructive. It is not only a classical spot as Cowper's *Olney*, which every quaker (much to the honour of that most amiable sect) makes a point of visiting, if he comes within twenty miles of it. It may also be considered, in a great measure, as an experimental vineyard, where the effects of Calvinism were to be tried under apparently the most favourable circumstances,—that of the successive ministries of two such extraordinary men as Newton and Scott. The result is most remarkable. It appears by Newton's *Life*, (p. 52,) that he received the parish in a good condition from his predecessors. Newton admits this expressly: 'I have lived to bury the old crop on which any 'dependence could be placed. I believe I should never have 'left Olney, had not so incorrigible a spirit prevailed in a parish 'I had long laboured to reform.' How strange it reads, that during sixteen years of exemplary earnestness, and with the sum of L.8000, which the munificence of Mr Thornton enabled him to distribute in private charity, the place should have gone to such utter degeneracy and ruin in his hands, and he himself have become the object of such vehement personal unpopularity, that on the 5th of November, his house would have been in danger, if the people had not been literally bought off! Whilst this fact stares us in the face, must there not be an error, as well as singular self-complacency, in appealing so confidently to St Paul, and in talking so contemptuously of good sort of *inefficient* ministers? By what test can we try the merit of opposite systems, but by their fruits? And by what other fruits than their practical *efficiency* in the improvement of the human heart?

The following extract from Scott's *Life*, will show the condition in which the parish eventually passed out of Newton's hands: 'Olney, notwithstanding its having been favoured with the 'residence and labours of Mr Newton during sixteen years, was 'by no means, when my father removed to it, a very inviting 'scene of ministerial service. Indeed, the temper manifested 'when a successor was to be appointed to Mr Newton, cannot 'fail to surprise and offend us; and ought certainly, as my 'father intimates, to be borne in mind when his ministry there 'is under consideration. Olney, at that period, was a much 'divided place; the people were full of religious notions—of 'that "knowledge which puffeth up," while the "love that edi-'fieth" was comparatively rare. There were, no doubt, many 'excellent characters among them; but, in general, the religion 'of the place was far from being of a sufficiently practical cha-'racter; and it cannot be doubted, that the exquisite candour 'and tenderness of Mr Newton's temper, had failed of adequately 'counteracting the existing tendency of things. Many, indeed, 'were nursed up to a morbid delicacy of feeling, which could 'not bear the faithful application of scriptural admonitions, even 'by his gentle hand, without expostulation and complaint.'

These consequences are so little chargeable on Newton's general temper and character, that Mr Cecil says, had he attempted to preach in his old age longer than he did, a great part of his congregation would have assembled, were it only for the pleasure they had in seeing his person. Cowper's expression is still more striking, and makes it difficult to understand how the conciliating disposition, which it attributes to him, had not exercised a greater influence in counteracting whatever evil tendencies might have grown up under his doctrine. 'A people,' he writes to Newton, 'will love a minister, if a minister seems 'to love his people. The old maxim, *simile agit in simile*, is 'in no case more exactly verified: therefore you were beloved 'at Olney; and if you preached to the Chickasaws and Chac-'taws, you would be equally beloved by them.'

Mr Scott accounts for the internal state in which he found Olney on his arrival, by a variety of causes. 'There are above two 'thousand inhabitants in this town, almost all Calvinists, even 'the most debauched of them, the Gospel having been preached 'among them for a number of years by a variety of preachers, 'statedly and occasionally, sound and unsound, in church and 'meeting. The inhabitants are become, like David, wiser than 'their teachers; that is, they think themselves so, and, in an 'awful manner, have learned to abuse Gospel notions to stupify 'their consciences, vindicate their sloth and wickedness, and

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[redacted]taking orders in 1807, he was instituted, at the early age [redacted]enty-four, to the family living of Hodnet. He had been [redacted]ector sixteen [redacted] when he resigned it for the bishopric of [redacted]cutta. A [redacted]ed, describing the amiable and [redacted]cinn feelir[redacted]e undertook the charge. His [redacted]e and ea[redacted]t afterwards but fluctuate from [redacted]e to tir[redacted]ement and disappointment, as he [redacted]ched f[redacted]tual advancement in the people,

'shield off conviction.' He adds, 'as for myself, I am very 'unpopular in this town, and preach, in general, to very small 'congregations.' He speaks in his narrative to the same effect, when looking back on his ministry at Olney. If blessed by the conversion of many, it was, on the whole, bowed down by a load of unpopularity, which made the thought of his spending his days there painful; and, at the same time, raised a powerful bar to his obtaining any other situation. Not only did Cowper never hear him preach, 'neither did Mrs Unwin, nor their more re-'spectable friends.' It is disheartening to see the course of this eminent person, wading on, according to his own account, through such a series of discouragements and failures in his experiments to 'do a little good in this mischievous, miserable, 'deluded, ungodly world.' Such did he apparently find his life in London, both in the pulpit and in society. In his retirement at Aston, to the last, he complains that his people continue to leave him; and that all the plans which he had devised, seemed wholly to fail in respect of keeping together even those who had received their first religious impressions under his ministry. 'It seems to me as hopeless as to give the farmer 'counsel how he may use his fan, and yet not lessen the heap 'of corn and chaff on his barn-floor.' Scott was quite aware of the most prominent cause of his failures. 'I have a most deep 'and heartfelt conviction of the truth and importance of those '*peculiarities* which have hitherto made me unpopular.' He had sufficient proof in the change of his pulpit from one place to another, that this cause was, in its nature, neither temporary nor local. As long, however, as the consequence of this experience was, not the revisal of his opinions, but a deeper impression of their truth, and a deeper distrust of all, 'whose hearts, as 'well as heads, were Arminian,' his straightforward and faithful style of preaching, would naturally go on narrowing the circle of his practical usefulness, year by year. How little he was disposed to rely on convictions, or the fruit of prayer in others, is plain from the declaration, that both Newton and himself were driven from Olney by prayer-meetings. Yet his *Force of Truth* is composed on the personal supposition, that prayer and conviction may be assumed as infallible guides. At the close of twenty years after its first publication, his confidence had become only more rootedly 'assured, that the 'doctrines recommended in it, were the grand and distinguishing 'peculiarities of genuine Christianity.' It is a strange power of looking at one side only, that an intense confidence in these peculiarities, increasing to his dying day, should be confidently appealed to as a testimony of their truth; instead of their admitted

unpopularity (that is, their real general impracticableness) ever suggesting to him a contrary doubt. 'I have little objection,' he says elsewhere, 'to the doctrine or to the spirit of the Atha-'nasian creed.' There is an excellent criticism of Heber's, in a letter to a young lady, upon the real merit of the sort of argument on which this Essay, since so widely circulated, proceeds. Olney is not the only place where a cheap impression of this letter might be of considerable service.

How different is the picture which Heber has left us of 'dear, 'dear Hodnet!' Yet he may be thought to have had disadvantages to contend with, from which both Newton and Scott were free. Born and bred in the middle ranks of life, they must, on the one hand, have mixed more familiarly among the people, one of whom they were; whilst, on the other, the influence derived from their professional aristocracy, must itself be heightened by the consideration that they had acquired it by its most ennobling titles. Heber incurred the double risk of being too genteel and too scholastic. The temptations to *nepotism* in the higher departments of the English church, are serious evils (were there none besides) belonging to the gross inequalities in its preferment. In the relatives of its Bishops may be again too often recognised the sons of Eli. Owing to the number of benefices which are left in the hands of private patrons, or attached to the conventual establishments of the universities, a farther proportion of incumbents is recruited from a class either originally little likely to take pleasure in the various duties of a parish; or else unfitted for them by that most disqualifying of all existences—the habits of a college. The squire's younger brother and the college fellow (persons usually either above or beside their work) are among the least desirable ministers which a parish can receive. Heber was, however, both. In this point of view, it adds considerably to his merit, to observe how completely an affectionate nature, and a deep sense of duty, enabled him to get the better of these peculiar dangers. To be sure, as far as the latter is concerned, it is the monastic common room residence which spoils; and young as he went off, he can scarcely be said to have resided.

On taking orders in 1807, he was instituted, at the early age of twenty-four, to the family living of Hodnet. He had been its rector sixteen years, when he resigned it for the bishopric of Calcutta. A letter is preserved, describing the amiable and solemn feelings with which he undertook the charge. His pure and eager mind could not afterwards but fluctuate from time to time between encouragement and disappointment, as he watched for the marks of spiritual advancement in the people,

of whose souls he had to render an account. The tears and prayers by which the departure of their shepherd was solemnized, as an event and a misfortune, by the flock, whom his voice was to lead no more to the sacred hills of Zion, are no unsatisfactory testimony in favour of this result. They make a parting scene which ought to console us even when we think of the last days at Olney. God forbid that we should be thought to throw an imputation on names so justly venerable as those of Newton and of Scott! The higher that they personally ought to stand, the worse are the inferences to be drawn against the system which they preached. It is not the less a comfort to find that we cannot be called on to believe human nature and its corruption to be entirely answerable, and utterly without excuse, because Newton and Scott had to abandon in despair an insubordinate and incorrigible parish. The influence obtained by Heber proves the contrary. It is not so difficult for a clergyman to be popular, or even to be beloved. We thoroughly understand the shame under which Heber compared the gratitude of his parishioners with his humble sense of his own services. There was no small pleasure, and at the same time no unworthy pride, in the feelings, which, whilst he was taking leave, called to mind so frequently this natural stanza :—

> 'I've *heard* of hearts unkind—kind deeds
> With scorn or hate returning;
> Alas! the *gratitude* of man
> Has oftener left me mourning.'

Our first extract is from the letter which we have above alluded to. It is addressed to Mr Thornton, at the period, and on the subject, of his taking holy orders. There is about it a spirit of good faith which would have satisfied even Milton, that he was religiously purposing not to watch over God's fold as a hireling, or climb into it as a thief :—

'I was beginning to perplex myself with several useless doubts, which had once almost frightened me from taking priest's orders. The more I read of the Scriptures, the more I am convinced that John Calvin, and his master, St Augustine, were miserable theologians; but I hope I am not deceiving myself in the idea that I may still conscientiously subscribe to the articles, which may well, I *think*, admit an Arminian interpretation. Episcopius thought so even of the rules of doctrine in Holland. I hope I am not wrong. I had no doubts of this sort when I took deacon's orders; but I have since met with a little work, by a man whom they call here an "Evangelical preacher," (allow me still to dislike this use of the word,) who has deduced from our liturgy, doctrines enough to frighten one. I hope and trust for God's guidance; pray for me, my dear friend, that I may

have my eyes open to the truth, whatever it may be; that no interest may warp me from it; and that if it pleases God that I persevere in His ministry, I may undertake the charge with a quiet mind and good conscience. This is now my purpose; may it be profitable to myself and to many.'

The next letter introduces us to his immediate feelings upon entering practically on his duties as a parish priest:—

'I purposely delayed writing to you till I had had some little experience of my new situation as parish priest, and my feelings under it. With the first I have every reason to be satisfied; my feelings are, I believe, the usual ones of young men who find themselves entering into the duties of a profession, in which their life is to be spent. I had no new discoveries to make in the character of my people, as I had passed the greater part of my life among them. They received me with the same expressions of good-will as they had shown on my return to England; and my volunteers and myself (for we are still considered as inseparable) were again invited to a *fête champêtre*. Of course my first sermon was numerously attended; and though tears were shed, I could not attribute them entirely to my eloquence, for some of the old servants of the family began crying before I had spoken a word. I will fairly own that the cordiality of these honest people, which at first elated and pleased me exceedingly, has since been the occasion of some very serious and melancholy reflections. It is really an appalling thing to have so high expectations formed of a young man's future conduct. But even this has not so much weight with me, as a fear that I shall not return their affection sufficiently, or preserve it in its present extent, by my exertions and diligence in doing good. God knows, I have every motive of affection and emulation to animate me; and have no possible excuse for a failure in my duty. The Methodists in Hodnet are, thank God, not very numerous, and I hope to diminish them still more; they are, however, sufficiently numerous to serve as a spur to my emulation.'

Eighteen months later, he had become more intimately alive to the distance at which the reformation of bad habits must follow the sanguine wishes of a zealous pastor:—

'I have reason to believe that both my conduct and my sermons are well liked, but I do not think any great amendment takes place in my hearers. My congregations are very good, and the number of communicants increases. The principal faults of which I have to complain are, occasional drunkenness, and, after they have left church, a great disregard of Sunday. You know my notions respecting the obligation of the Christian Sabbath are by no means strict; but I have seen much mischief arise from its neglect, and have been taking some pains to prevent it. By the assistance, I may say advice, of one of the churchwardens, a very worthy and sensible, though plain farmer, the shopkeepers have been restrained from selling on Sundays; and I have persuaded the innkeepers to sign an agreement, binding them-

selves under a five-guinea forfeiture not to allow drinking on that day. But though the wealthy farmers and women are generally orderly,—the young labourers are a dissolute set, and I have not so much influence with them now as I had when I was their captain. It is a misfortune to me, in so wide a parish, that I am slow at remembering either names or faces, which is a very useful talent.'

A little later, he adds:—

'My parish goes on, I think and hope, rather on the mending hand, particularly in respect to the observance of Sunday; and, what is also perceptible, in an increasing desire to have comfort and advice from me when they are sick, which was chiefly only when they were at extremity.'

Young clergymen who are naturally anxious to see the seed which they are sowing instantly spring up into blossom, and bear fruit, may be satisfied by the example of Heber, that they ought not to be discouraged by the appearance of a progress so slow, as to seem at times almost stationary. Still less should they allow the impressions of a moment of despondency to survive the moment. He had been five years faithfully employed, when, in 1813, he writes thus to Mr Thornton:—

'It is very foolish, perhaps; but I own I sometimes think that I am not thrown into that situation of life for which I am best qualified. I am in a sort of half-way station, between a parson and a squire; condemned, in spite of myself, to attend to the duties of the latter, while yet I neither do nor can attend to them sufficiently; nor am I quite sure that even my literary habits are well suited to the situation of a country clergyman. I have sometimes felt an unwillingness in quitting my books for the care of my parish; and have been tempted to fancy that, as my studies are scriptural, I was not neglecting my duty. Yet I must not, and cannot deceive myself; the duties which I am paid to execute have certainly the first claim on my attention; and while other pursuits are my amusement, these are properly my calling. Probably, had I not been a scholar, other pursuits, or other amusements, would have stepped in, and I should have been exposed to equal or greater temptations; but, I confess, when I consider how much I might have done, and how little, comparatively, I have done in my parish, I sometimes am inclined to think that a fondness for study is an unfortunate predilection for one who is the pastor of so many people. The improvement of my parish does not correspond to those pleasant dreams with which I entered on my office. My neighbours profess to esteem me; but an easy temper will, in this respect, go a great way. I write sermons, and have moderately good congregations; but not better than I had on first commencing my career. The schools, &c. which I projected, are all comparatively at a stand still; and I am occasionally disposed to fancy that a man cannot attend to two pursuits at once, and that it will be at length necessary to burn my books, like the early converts to Christianity; and, since Provi-

dence has called me to a station which so many men regard with envy, to give my undivided attention to the duties which it requires. Possibly, for I will own that I am in a gloomy humour, I exaggerate circumstances; but a day seldom passes without my being more or less affected by them. On the whole, perhaps, such repinings at the imperfect manner in which our duties are performed, are necessary parts of our discipline, and such as we can never hope to get rid of.'

How much of this feeling was attributable to some slight indisposition or other circumstances, independent of his position and successful discharge of his duties, may be conjectured from the cheerfulness of the next letter, written after a three months' absence. Every (even the most cynical) looker-on will allow, that these are the cases in which the holyday, under the Residence Act, is excellently bestowed. It will never be grudged, on these occasions, by a parish, as long as conscience is a little attended to in the enjoyment of it, as well as law.

'I yesterday found myself restored to my usual scene of duties and interests, which I find considerably endeared to me by this temporary cessation. I was, I own, before our late excursion, growing listless, and almost discontented with my situation, and the little apparent good which my exertions brought about. I am now, I trust, cured; at least, I feel no small degree of my original sanguine disposition returning, and could even fancy that I was listened to with more attention yesterday than I attracted during the spring. This is, perhaps, mere fancy; but the same feeling has thrown a sort of charm over many of the objects which had lost their value, from my being accustomed to them; and from my pulpit, and my new building, down to the little domestic arrangements of my present habitation, and the "*desiderato requiescere in lecto*," I find every thing more comfortable than when I left it. This stimulus to my spirits, I owe to my late excursion.'

During the ten following years which Heber passed at Hodnet, he perfected, by exercise, in this comparatively humble sphere, those virtues which were destined to acquire for him afterwards, as Bishop of the East, the reverence and the love of thousands who never saw him. He won on the confidence of the human heart in his village, as over our Indian empire, in the self-same way. There was the same simplicity of nature—the same deep and unpretending, almost unconscious, piety—the same sympathy with happiness, as long as innocent, from whatever source, and in whatever form. There was the same combination of high qualities, and the same moderation in opinions, without which any single excellence of moral affection, or of intellectual endowment, may become only an instrument of misery to its possessor, and to all within its reach.

He received, on leaving Hodnet, a piece of plate from his

parishioners. It was presented to him the day on which he preached his farewell Sermon. Its inscription expressed their hope, that it might remind him, in a far distant land, of those who would never cease to think of his virtues with affection, and of his loss with regret. The list of subscribers contained the names, not alone of the wealthy, but of a number of the very poorest class, whose sixpences and twopences were a sacrifice out of their humble means, and must have been the most acceptable and endearing circumstance of the whole. His own notice of this occurrence is equally creditable to all parties.

'This mark of their good-will, in times like the present, is very gratifying and affecting; and it is by no means the only one which I have met with. In my visits to different cottages, and in conversations with the labourers in the fields, and by the road-side, the tears have been more than once or twice conjured up into my eyes by their honest expressions of good-will, and prayers for my welfare. I certainly did not expect to feel so painfully, as I have done, my approaching separation from my parish; nor was I at all aware of the degree of regard which these good and kind-hearted people appear to have entertained for me. God bless them! I cannot help feeling ashamed of an affection which I have so imperfectly deserved!'

Such are the opposite accounts which these distinguished ministers had to settle with their respective congregations. As the failure in the former case cannot be explained by any original difference between the circumstances of the two parishes, or by any supposed inferiority in ability, piety, or virtue in their pastors, there seems no sufficient *tertium quid*, to which this striking contrast can be so justly referred, as to the opposite schools of religion in which Olney and Hodnet were brought up. This single cause, however, is one, which (although subject to a hundred modifications in every instance where it exists) is, in itself, completely adequate to the effect. If Newton and Heber had changed their posts for their sixteen years of service, we see no reason to conclude that Heber might not have retired from Olney, revered as a friend and father; nor that the fountain of Christian love would not have been turned into a disturbed and embittered course at Hodnet, when its pure waters were once medicated into a drug, and its peaceful flow broken into a torrent, under the unfortunate management of Newton.

Individual temperament, and so many other circumstances, besides the religious opinions which a man may entertain, act on his own personal happiness, that the result in the instance of any single individual cannot be appealed to with the same confidence as in the case of numbers. There was an impetuosity of passion, and a vividness of imagination in Newton during his

worst days, as there was a power and resolution and a contempt of worldliness about Scott, which would carry them high over the rocks and shallows of ordinary existence, whatever system of faith they might technically embrace. The character of both, remarkable for its brightness as well as boldness, secured their keeping a clear sky over their own heads. In spite of occasional circuities or embarrassments, their native buoyancy and strength of purpose, would direct in their favour the impulses and tendencies of any creed, and bring them ultimately round to the winning side.

A man with a spirit like that of Scott has the sources of happiness much within his own command. His father, a Lincolnshire grazier, seems to have always made his home uncomfortable to him. The notion of a shepherd lad entering into holy orders was especially scouted as a piece of ridiculous presumption, which could only end by bringing him on the parish. Young Scott, nevertheless, persisted in his resolution. Neither the rebukes of relations, nor the sneers of neighbours, nor the interruptions arising from the most laborious and dirty parts of his father's business, prevented him from picking up the necessary professional education. At the age of twenty-six, he applied for ordination to his bishop in London, and was rejected. His subsequent tenets made him afterwards consider his state of mind at this period as irreligious. But the frankness with which he replied to the bishop's personal interrogatories, proves at least his moral purity, and apparently no objection had been made to his divinity; in respect of which, his answers may be presumed to have been equally sincere. His notice of his return home evinces a union of high heroism of purpose, and of patient intermediate self-command, such as is sure in the end of conquering the world, or whatever else it may think worth conquering. 'I travelled by a circuitous route a great part of the way on foot, 'and the rest in various vehicles. At length I reached Braytoft, 'after walking twenty miles in the forenoon; and having dined, 'I put off my clerical clothes, resumed my shepherd's dress, 'and sheared eleven large sheep in the afternoon!' At a later period, his scorn or rather dread of the temptations in worldly prosperity to create a worldly spirit, breaks out in the same commanding strain. 'The spirit of the commercial world, having 'long corroded the professors of the gospel, is now making 'havoc among ministers. The plan of marrying rich wives, or 'presiding over lucrative academies, would have made St Paul 'dolefully cry out, *All seek their own, not the things of Jesus 'Christ.* I have been nearly thirty-five years in orders; and, 'except during two years that I continued single, my regular

'income as a minister would never defray more than half my 'expenditure; yet, though often tried, I endeavoured to trust in 'the Lord, and I have been provided for.' It was in this generous reliance that he was accustomed to call his charities *seed corn.*

The practical sincerity of his opinions leads us to a trait as related by his son, which is rather new in family politics on such occasions. The evangelical clergy, whose success in marrying fortunes has become a proverb, must wince at it. 'A 'marriage with a rich wife is, I believe, what none of his 'sons would have ventured to propose to him. Few things would 'have alarmed him more for their safety, or more grieved him, 'as a dereliction of the principles with which he had laboured to 'inspire them. Often have we heard him descant with satis-'faction on the case, I think, of Mr Walker of Truro, who 'declined a connexion with a lady, in all other respects suit-'able, because she possessed L.10,000! and often mention the 'sarcastic congratulation offered at a visitation, by a dignified 'clergyman to an evangelical brother, who had married a lady 'of fortune, "Ay, ay, brother ——, we aim at the same object, 'though we have our different ways of attaining it!" Hence, 'when, many years ago, two young ladies of large fortune were 'placed under his care, it was one of his counsels to them, that 'neither of them should marry a clergyman; "For," said he, '"if he is not a good one, he is not worthy of you; and, if he 'is a good one, you will spoil him."' This apprehension of a worldly spirit was not confined to its basest form, the love of money. 'He *rejoiced with trembling* at a very slight degree 'of credit obtained by one of his sons at the university. To 'the same son he also remarked, that though he did not tell him 'so at the time, it had been one object in selecting his college, 'to send him where he would *not* be likely to get a fellowship.' What a noble, if somewhat extravagant, nature do these opinions and anecdotes declare!

Well may we feel justified in our former inference, that there must be something formidable indeed in those *singularities of doctrine*, which could prevent such a man from making converts, out of mere personal admiration and affection, among the great proportion of those who came into his presence. Our present object is to show, that it is the tendency of a system which treats the human understanding as slightingly as it does the human heart, to put to no inconsiderable risk the personal happiness of even such a character as this. A life of unmerited perplexity and remorse may be the fatal consequence of religious exaggeration. Where any powers of reasoning exist, it is weary

work to keep treading under foot objections which must be as constantly recurring. It is in vain that a mind may devote itself, throughout its waking hours, almost solely to the study of the Scriptures. Whilst a forced unnatural state of sentiment and opinion is kept up, as it were, in garrison, and under arms, there will be a necessity of suppressing, by other resources than those of an antagonist kind of reason, the successive insurrections which natural reason, do what we may, will continually raise. Considerable time and struggle must be gone through before a powerful understanding can acquiesce in the duty of resisting such intellectual remonstrances as a temptation. 'Temptations follow tempers; and Satan has awfully prevailed against some persons of a reasoning turn of mind. Such things used to harass me much more than they do at present, I would hope, because I take a better method of getting deliverance from them. In general, I consider them as temptations to *unbelief, contrary to the fullest proof conceivable;* the remains of the scepticism of our hearts, wrought upon by satanical influence, as the waves of the sea are by the wind; and to be overcome only by *the sword of the Spirit, which is the word of God.* Thus it is written.' Scott continues in the same page, 'I remember that just before I entered on my exposition of the book of Job, I was much more exercised with such temptations, arising from awful truths of scripture, and dispensations of God, than at any time before or since; and I have long thought that this was permitted, among other things, in order to give me more realizing views of that awful subject, the power and agency of evil spirits, than I before had; and that it proved very useful to me in explaining that part of scripture.'

In respect of temptations, it may be observed, that he never seems to have been sufficiently aware what were his real trials both in mind and temper. The latter does appear to have been abundantly tried by the congregation and governors of the Lock. He lost *irrecoverably* much above half his audience, on a charge of Arminianism, when it turned out he was more decidedly Calvinistic than his critics. The son remembers his father's utter astonishment on the discovery of this fact. The good man 'had not conceived it possible that men known in the religious world could have allowed themselves boldly to take a side, and to talk loudly in favour of a system of which they scarcely knew the outlines.' The simplicity with which the son has preserved this anecdote, in the hope that it may be an instructive record to all governors of the Lock, and religious disputants in general, is worthy of his father's original astonishment. Scott's errors were certainly no want of knowledge of

his system. It is our moral, accordingly, that the system is responsible for having at times endangered his peace of mind to the full extent that was left within its power. Monstrous propositions conjure up monsters of unbelief.

The final conversion of Scott, long tossed about by every wind of doctrine, was in his study. That of Newton took place at sea. Newton's biography has all the incidents and the corsair character of a romance. In three several instances, the boat in which some accident only prevented him from going, was lost. His preservation from shipwreck and famine between Africa and Ireland, when the captain thought him Jonah, was about as wonderful. Not less so the two chances by which a companion, in one instance, cut down his hammock—in another, lighted a smoke on the slave coast for trade; with the result of which, the whole change in his after life seemed mysteriously linked. These were the events of a youth of headstrong and unbridled passions, who afterwards rose from the depths of moral and even physical degradation, to high religious eminence. They are sufficient to account, even in an ordinary character, for the existence of a feeling like Glendower's, that the subject of them was marked out as an extraordinary man. But his character was no ordinary one. It swept with equal violence through all extremes. For, that which ought to have been kept as the extremes and the exceptions, are the very stuff which his whole being was made of. The lady whom he afterwards married, he fell in love with on a chance visit, when she was fourteen years old. During the seven next years, his *idolatry* of her remained almost his only virtue. Three years after his marriage, not hearing from her when in the West Indies, he imagines that she must be dead, and feels 'some severe symptoms 'of that mixture of pride and madness, commonly called a broken 'heart.' When her death occurred at a later period, he was able himself to preach her funeral sermon on the following Sunday. After his conversion, he continued to see nothing in slave-dealing inconsistent with Christianity. Mr Cecil observes, that he had not the least scruple *about the lawfulness of the slave trade, which he considered as the appointment of Providence, respectable and profitable;* and only regretted that the management of so many bolts and shackles made his employment rather that of a gaoler. So fierce, however, still remained the nature of his ungovernable temperament, that he felt obliged to keep himself on water diet, as a security for the persons of his female slaves. Notwithstanding the nature of his employment, and the necessity of this precaution, he could describe himself as 'never knowing sweeter or 'more frequent hours of divine communion,' than in his two last

voyages to Guinea. Nor, on one of these occasions, could he find more acceptable amusement, whilst waiting for the crimps, than in making a religious paraphrase on some love verses of Propertius, or, as he calls it, in restoring them to their right owner.

Unfortunately, it is of the very essence of a religion, where feeling has knocked the balance weights of reason out of the scale, to abound in contradictions. Newton was undoubtedly in many respects as admirable as he was earnest and sincere. 'I see in this world,' he says, 'two heaps of human happiness 'and misery: now, if I can take the smallest bit from one heap, 'and add to the other, I carry a point.' At eighty, urged to spare himself in the pulpit, 'I cannot stop,' (he cried, and raising his voice,) 'What! shall the old African blasphemer 'stop while he can speak?' We cannot, however, conceal from ourselves the conviction that, for a preacher who has in charge the consciences of men, and who undertakes to teach them how to live,—what they may do, and from what they must abstain,—judgment is a necessary qualification. It is not too much to require of a spiritual director, some knowledge of human nature, with a general power of discrimination between the different degrees of criminality or danger, in different actions and different courses of life. Whilst the confessional of Newton would have allowed his penitents the recreation of the middle passage, and the cheapening the price of a fellow-creature, he must have excommunicated the weaker brethren who were attracted by an oratorio. Nothing can be cleverer or more intractably perverse than his sermon on Handel's Commemoration. He can see in it nothing but the insane proceeding of criminals setting their judge's message to music, and singing it for their diversion. A very picturesque sketch of this musical entertainment closes by the observation, 'Surely if such a case as I have 'supposed could be found in real life, though I might admire 'the musical taste of these people, I should commiserate their 'insensibility.' This alarm at innocent accomplishments breaks out almost as curiously in a letter to a friend at Rome, whom he exhorts, by the example of Paul at Athens, not to let a taste for the arts interfere with the divine taste. The seven hills are in his eyes the desolate subject of that old prophetical denunciation,—'the voice of the musician shall not be heard in 'thee, and the light of the candle shall no more be seen in thee.' His own frame of mind certainly would not have been the most appropriate for enjoying the splendid spectacle of the illumination of St Peter's, since, he says, that he should be thinking of that sentence and its execution, were he to see the cupola flaming with its lamps.

The language of no novel that we ever read, is more extravagantly false than his description of the world in which we live. Young persons, what is called seriously brought up, especially young ladies, are often worse provided with the commonest knowledge of human nature, and come out of their coterie into ordinary virtuous society with more to learn and unlearn concerning its condition, than so many nuns. We will extract a few practical aphorisms, which Mr Cecil thought it worth while to preserve, from Newton's conversation, which Newton revised for publication. 'A Christian in the world, is like a man who 'has had a long intimacy with one whom at length he finds to 'have been the murderer of a kind father; the intimacy, after 'this, will surely be broken.' One ought scarcely to wonder at any views entertained concerning the next world by a person who can thus seriously misrepresent the present. 'I endeavour 'to walk through the world as a physician goes through Bed-'lam; the patients make a noise, pester him with impertinence, 'and hinder him in his business; but he does the best he can, 'and so gets through.'—'Too deep a consideration of eternal 'realities might unfit a man for his present circumstances. 'Walking through St Bartholomew's Hospital, or Bedlam, must 'deeply affect a feeling mind; but, in reality, this *world* is a far 'worse scene. It has but two wards: in the one, men are 'miserable; in the other, mad.' Can Bedlam itself contain any thing more insane than the thus dividing the world into a Guinea ship, with a ruffian crew on deck, and wretched slaves under the hatches, whence he, and perhaps a cabin-boy, are alone miraculously chosen? Compared with this, we would send a person for a view of English manners and institutions to Caleb Williams, and of human nature to Rousseau.

It is one of the misfortunes of such fanaticism, that it must alternate with a restless scepticism in manly minds. We have a loose recollection of a passage in Baxter's Life, where he observes with some astonishment, that notwithstanding he had dedicated a long life to God, scarce a day should pass in which a doubt did not cross his mind, whether it was not all a fable: or some expression to that effect. Now Newton's conversion was brought about, (for such is the boast of Mr Cecil,) not by argument or rational considerations, but by the breaking in upon his mind of peculiar discoveries in revealed truth, sufficient to meet even his case through the power of God unto salvation. It must be expected, that a religious faith so constructed, will be exposed to the reaction of similar convulsions. Not only may the self same wave which casts a man ashore as easily wash him back again; but that which one

moment mounts audaciously to heaven, is most likely to descend the next, as low in the opposite direction. It is useful just to watch the two extremes. Nothing but undoubting enthusiasm would justify the following answer. 'Dr Taylor of 'Norwich said to me, "Sir, I have collated every word in 'the Hebrew Scriptures seventeen times; and it is very strange 'if the doctrine of atonement, which you hold, should not 'have been found by me! I am not surprised at this: I once 'went to light my candle with the extinguisher on it: now, 'prejudices from education, learning, &c., often form an ex-'tinguisher. It is not enough that you bring the candle: 'you must remove the extinguisher."' An enthusiasm of this kind has great need to keep its fountain ever full, since it has no other resource to turn to. Yet this was more than even Newton could succeed in, in spite of his salient and fervent spirits. In one of his first letters to Mr Scott, then his recent successor at Olney, both in his parsonage and opinions, he writes as follows: 'Methinks I see you sitting in my old 'corner in the study. I will warn you of one thing. That 'room (do not start) used to be haunted. I cannot say I ever 'saw or heard any thing with my bodily organs, but I have 'been sure there were evil spirits in it, and very near me: A 'spirit of folly, a spirit of indolence, a spirit of unbelief, and 'many others—indeed their *name is Legion.* But why should 'I say they are in your study, when they followed me to Lon-'don, and still pester me here? I shall be glad, however, if your 'house be fairly rid of them. I am sure they were there once.' Here we again encounter the disquieting spectre of unbelief. Newton has left us among his maxims, one which may account for some of his errors, and for these evil spirits among the rest. Dr Taylor might most properly have described it as an extinguisher for truth. It is this: 'I shall preach perhaps very usefully upon 'two opposite texts, while kept apart: but if I attempt nicely 'to reconcile them, it is ten to one if I do not begin to bungle.' Now, there is no magic in the words of Scripture; its virtue is in the meaning. The true meaning must depend on the whole words; on the limits which the context may put on any single text. Old Donne has applied to this effect the simile, *de caudâ equinâ*, very quaintly. 'Sentences in Scripture, like hairs in 'horsetails, concur in one root of beauty and strength; but 'being plucked out one by one, serve only for springes and 'snares.' Yet it is making snares of this description, which Newton has deliberately recommended!

If the religious philosophy of Newton was ignorant and unbending in its estimate of the nature and proportion of things,

he was not more skilful in his judgment of persons. A system may be the truest possible, whilst argued on *in vacuo*, in the cabinet of a *Doctrinaire*. When it comes to be applied to the circumstances of individuals, it will nevertheless require that its practical administrator should possess the invaluable art of discovering the peculiarities of individual dispositions, and of adapting his moral prescription to their case. Too zealous to pause and to distinguish, Newton had but one specific, and he distributed it alike on all emergencies, without any reference to the difference between one character and another. It is admitted by Mr Cecil, that his talent did not lie in 'the discernment 'of spirits;' and that he was never so much *moved*, as when this want of discrimination was endeavoured to be corrected by his friends. The example given is one of credulous overrating. His mistake with Cowper took unfortunately the other turn. The Hermitage, in which this most sensitive of diseased Imagination's thousand victims passed his weakly and melancholy days, and the fatal cloud which hung over him, dark as night, and ready at every instant to pour down infernal terrors, had a sacredness about them which one should have thought no human being could have approached but with fear and trembling. They ought, at all events, to have been secure from being further darkened and disquieted by the pettifogging meddling superstition of any the most injudicious friend. These considerations proved, however, too feeble to protect him from a mode of treatment, unreasonable in any case with reference to the offence, but so barbarous and brutal in the case of Cowper, as to be utterly inexcusable, except on one single supposition. It is necessary to suppose a callous ignorance and hardness of touch in Newton, amounting to a disqualification for an office, which no reasonable person can be brought to exercise against his brethren, except with the greatest tenderness, scruple, and alarm. For most assuredly we are bound, again and again to look at every possible allowance, and to be at last satisfied to a certainty that our silence would be a conniving encouragement to error, before we interfere with an atom of the pleasures of another. The criminal indulgence, at which the little Christian world of Olney had been astonished, was nothing more or less than that Cowper and Mrs Unwin had driven out with Lady Hesketh in her carriage, more frequently than was agreeable to serious neighbours who had no carriage of their own. This is far from being a solitary instance. There must be indeed a fierce ascetism in tenets which could so far outgrow and overrule the exquisite candour and loveableness of temper, attributed to Newton by his admirers, as to superinduce a possibility of the

excuse we have above suggested for these occasions. Newton seems always to bring the dark spirit over Cowper. The letters addressed to him, and those to other people, are not like the same man's correspondence. There is a strange fortune, to be sure, in the life of man, and strange inconsistencies in the human heart. Who could have expected to see the gentlest and most delicate nature—almost the Ariel of religion—a being unfitted by his tenderness for the collisions of vulgar life, subjected, on account of a recreation too insipid to be called even an amusement, to the lash of an overseer who could recognise nothing in his own slave-dealing but the painful means of an honest livelihood?

We found something, when we first read them, so oppressive, not to say almost heart-breaking, in several of Cowper's additional letters, published by Dr Johnson, that we shall not put ourselves to the unnecessary pain of looking at them again at present. By introducing the name of Cowper, it is not implied either in the comparison which we are making, or in the utmost extent of the inferences which we seek to draw, that his melancholy originated in religion. Every reader of his life must know the contrary. But every reader must likewise know, that this melancholy, so far from being soothed by religion, was deepened by the view which Cowper took of it. Further, he must agree, that nothing could be more unfortunate than the fact, that the minister of his parish entertained in principle similar opinions. This not only rendered it impossible that he could by sound scriptural exposition raise his friend from 'the burning marle' on which he writhed; on the contrary, their common predestinatory doctrines must have infallibly strengthened the fatal root out of which these poisonous fibres grew. Every chance of indirect alleviation was also lessened. A horror of what is called *the world*, in its most simple and harmless state, tended to deprive the sufferer of the oblivion into which a little amusement or occasional intercourse with a friendly neighbour might have at times deceived, and did in fact deceive him.

Cowper would probably have been subject, under any circumstances, to occasional depression. But nothing whatever can be conceived capable of producing a degree of unhappiness so permanent and so tremendous, (being indeed a direct anticipation of the tortures of the damned,) as that Phantom of Religion into whose grasp he fell. For he fell into it, evidently, as a man *falls* into love or any other passion. If he had not been mad before, it was enough of itself to make him so. It has made others. It is on behalf of such,—of the many whom Cowper may be said to represent, and who by a perilous suscepibility of nature can-

not protect themselves,—that cooler heads are called on to interpose. Cowper was singular only in his delightful talents. Otherwise, the class to which he belongs, is in its different shades and degrees of disposition too numerous and too amiable, to be left under the chariot wheels of an arbitrary system, on whose towering top bolder characters are raised aloft in triumph, and enabled to look down with mingled feelings (some of pity, some of satisfaction) on the millions whose sacrifice is called their Creator's glory. Men conscious of hereditary maladies refuse to marry. We will not ask what man with a human heart, believing in such a proposition, durst place himself in the terrible responsibility of becoming the father of a family, the author of future generations, predestined for the most part to perdition. Unless we harden and stupify our natures over the present moment, every affection which makes this life a source of pleasure, must at once under such a faith become the source of constant and unutterable pain. The driest of heathen philosophers deemed it base for a mortal to think only of mortal things. Ἀθανατίζειν, was his motto. To a Christian the prospect of immortality is unavoidable. This is the very vista which Christianity has opened. The view of a future state must terminate every religious thought. Even supposing, therefore, that self-confidence assures us of our personal condition; yet supposing, also, that we retain the sympathies of humanity, what alone can religious contemplation end in, if it discloses to our eyes an abyss of boundless misery, into which the stream of life is hurrying down almost all that we have loved and honoured, under an absolute and uncontrollable decree?

There are a hundred different kinds of natural religion, and at least as many sorts of Christianity. Its three or four leading forms contain so many names equally entitled to our veneration, that it is evident no amount of learning, honesty, or earnest prayer, can be a security that we choose aright among them. Under these circumstances, with reference to the ultimate probability of its being true, and its immediate influence on human happiness, it appears to be an invaluable characteristic of the religion of Heber, that, compared with the enthusiastic system, there is little in its doctrines before which human reason is startled in dismay. We need never expect to find Heber, and those who adopt his mild and moderate opinions, shrinking from the use of their understanding as a temptation, and fighting against Satan under divers forms of unbelief. On the one hand, the contemplation of the divine attributes and dispensations must, in such a case, if duly undertaken, elevate the spiritual, encourage the lukewarm, and control the wavering or misguided. It

cannot, on the other, by any possibility become a terror to the innocent, or a snare to the presumptuous and unwary.

The sweetness of Heber's natural disposition, and the reasonableness of his religious opinions, were a mutual guard and ornament to each other. From his earliest childhood, he was distinguished by his piety and charity; that is, by his affection towards God and man. Prayer seems to have come as natural to him as song to a bird. The hardest lesson which he ever had to learn —indeed he seems never to have learned it—is the duty of refraining from promiscuous almsgiving. In this he continued prodigal to his death. The native bountifulness of his nature was such, that when he went to school, his money used to be sewed into his waistcoat, not lest he should lose or spend it, but lest he should give it away. In periods of trial, he spared his body as little as his purse. When the typhus fever got into his village, in 1820, no fear of infection could keep him from the cottages of his sick. He went about like the good Bishop of Marseilles. We thought of that beautiful example of Borromean Christianity in the *Promessi Sposi*, on his answer to the remonstrances of his Shropshire *Abbondios*,—'I am as much in God's 'keeping in the sick man's chamber as in my own.'

To all appearance, he passed, almost without a stain or effort, through the most critical and usually least satisfactory period of life; when the innocence of boyhood is rubbing off, and when the steadying principles of manhood are not yet acquired. If some men have gained more, no man ever lost less, in the transit from one period to another. The carelessness of under-graduate habits, and the intoxication of success, seem to have only taught him the necessity of being himself more thoroughly upon the watch against personal infirmities. Immediately after the recital of his *Palestine* in the theatre, he was found by his mother on his knees. Short occasional prayers, in Latin, on the most important days or events of the year, are scattered over his Diary. In the same spirit, he begged for the prayers of his parish, on his setting sail for India. It is one of the most delightful parts of the devotional character exemplified in his life, that it was not indulged as the substitute for a single virtue, or allowed to supersede any of the plain out-of-door affections, or ever ushered, with the countenance of an undertaker, among the amusements of ordinary society. He forgets nobody on leaving England, nor their respective wants. There is his farewell to the clerk, with his present of coals to the poor inhabitants: there comes no less his long letter of friendly expostulation with a respectable parishioner, on his fondness for liquor—'Perhaps the last mark of 'my good wishes for you, which I shall ever have it in my power

'to show, now that I am leaving England for a far distant land, 'and have ceased to be rector of Hodnet.' When their voyage was at an end, the kind letter addressed to the East India Captain who took him out, is another proof how graciously he let no opportunity escape him of doing good. After a few hints as physician to the body, he turns to him, in words, of which we cannot but regret that poor Cowper had not also the benefit, as physician of the soul. 'I have been long aware, that, in the honest humbleness of your contrite heart, you have thought more painfully of your own condition, than one who cherishes a firm faith on the Rock of Ages, and an ardent desire after holiness, need to do. Remember who He is on whom you have hoped. Be sure that both body and soul are safe under His protection, so long as we wait patiently on Him, and resist the temptations against which we are compelled to struggle; and believe me, that while this hope continues to increase in you, both body and soul will derive a daily increase of strength and cheerfulness.'

Whilst yet in England, it is an inspiring sight to see him always moderating between our religious parties, and, as the Falkland of his profession, constantly crying, 'Peace, Peace!' Our attention has been drawn particularly to the overt act of two letters, written with these excellent intentions. The first is addressed to one of the Bishops, in the hope of uniting the Church Missionary Society with the Society for Propagating the Gospel in Foreign Parts. The other is a letter to the Editor of the Christian Remembrancer, 'by an Arminian,' in vindication of the motives by which many respectable churchmen, most conscientiously attached to the Establishment, had been led to become members of the Bible Society.

'It was the fortune of some of us to have discovered, that, among the different religious sects of our own country, of the continent, and of America, the opinions and habits of the English clergy, more especially of those who are called the High Church party, were very remarkably misunderstood and misrepresented. This might, in part, so far as the continent is concerned, be attributed to the conduct of a late right honourable Irish prelate, who amused himself with rambling over Europe, and disgracing, by numberless eccentricities, and infidelity almost avowed, the order of which he never performed the duties, and to all the other members of which he was a subject of indignation and sorrow. Partly, too, it might arise from the fact, that of the foreigners who visit England, a great proportion symbolize with those who separate from our church; and are led, therefore, to form their views of it from very different sources, than from an actual examination of our manners and doctrine. But be this as it may,—a very general prejudice existed, to my knowledge, on the continent, against the English church and prelacy; while the dark and inveterate mis-

apprehensions of the dissenters at home, will be plain from a cursory inspection of their periodical publications. Nor were they the dissenters only who were thus deceived concerning us. A considerable party within the church itself had begun to show symptoms of confining the name of "Evangelical and Religious," to the limits of their own Shibboleth, and of accounting all their brethren who disagreed with them on particular topics, as secular, at least, or careless,—if not altogether profane and carnal. Thus situated, it was an experiment, as we conceived, well worth the making, to embrace the opportunity afforded us by the new Society, of showing ourselves to them as we were, as men (I speak of the collective body of Arminian clergy) who were not inferior in learning, in zeal, in ability, or in personal holiness, to any set of men upon earth; who were as active and anxious in promoting the common cause of Christianity, as they themselves could be; who were actuated, even where we differed from them, by a love of God and man, as warm and disinterested as theirs; who were ready to meet them in every office of brotherly love, and to co-operate with them in every scheme of apparent utility which demanded from us no sacrifice of principle or consistency. If we thus succeeded in removing their prejudices against our persons, we trusted that they would learn, by degrees, to regard our office and our claims with less aversion; that they would give us the more credit for sincerity in our peculiar opinions, when they found us earnest on those points where no difference existed between us; that they might, by degrees, be led to enquire into the grounds of our faith, and the necessity and lawfulness of their separation from us; that we might thus *prevent* that schism which was as yet only *apprehended;* remedy those ancient divisions which were chiefly founded on ignorance; that if our success was more limited, we might, at least, glean a considerable amount of individual converts; and that by becoming all things to all men, we should, at any rate, *save some.*'

No man of his time assuredly could say more truly—'To 'reconcile or soften these unhappy differences, so far as my age 'and situation have given me opportunities, has been through 'life the object constantly in my view, and the cause of several 'earnest and fruitless labours.' We should think both Roman Catholics and Calvinists would be satisfied with the justice done, in the following passages, to the persons and the characters of their great leaders. Whatever difference may ultimately remain among the sects of Christendom on matters of opinion, we should contentedly submit to bear a penalty inseparable from the right of private judgment, if charity among ourselves, and honour to Christianity, could be but secured by all parties acting up to this most Christian example.

'Many of the leading doctrines of popery are, to all appearances, subversive of some of the plainest and most essential articles of the Christian faith; yet I cannot read the lives of Bellarmine, Charles Borromeo, Vincent de St Paul, Fenelon, and Pascal, without feeling

that they were holy and humble men, incessant in prayer, and devoted to God and to their enquiries after truth; or without a painful consciousness that, with all the clearer views of God's dispensations which I believe myself to possess, I should be happy beyond my hopes, and certainly beyond my deserts, to sit at the feet of the meanest among them in heaven. Nor dare we, as I conceive, deny that men like these, however grievously mistaken in some points, were under the guidance and teaching of that Spirit, from whose inspiration only such virtues as theirs could proceed.'—' Do not, however, mistake me, or think that I mean to reflect on the personal character and personal holiness of those who hold the doctrine of election: I am acquainted with some; I know the works of many; and I believe them to be men as holy, as humble, and as charitable as men, in our present state, can hope to be. And while I wonder at their blindness in not perceiving those consequences of their system which I have now laid before you, while I am persuaded that the natural result of Calvinism must be to sink some men into utter despair and carelessness of living, and to raise others into the most dangerous self-confidence and spiritual pride, I am the more inclined to bless God for the riches of His grace, which has kept the good men from those snares which their opinions laid before them, and forbidden them to trust their salvation to doctrines which they do not act upon, though they fancy that they believe them. Nor should I have spoken thus harshly of the doctrines themselves, if it were not fit that every system should be tried by the fruits, that is, by the consequences which flow from it.'

Our bishops in the West Indies and in the East have in charge three distinct and peculiar duties, the execution of which—especially of the two last—it is a work of some delicacy and management satisfactorily to combine. They have to bring under good ecclesiastical discipline and control a clergy, among whom (from the want of the superintendence of a superior) oscitancy in some cases, refractoriness in others, must naturally have crept in. What is still more difficult, they must acquire, by social intercourse and example, an influence with the wealthy master caste;—a race rather too far and too long removed from the humanizing equality before God and man, which makes so comparatively bright a feature in the religion and civilisation of Europe. There is a cant negro expression, signifying an alteration not in complexion but in character, which is quite as true in Hindostan, as at Kingston or Sierra Leone: 'The white man is himself grown 'black.' A Creole or a half-caste of this moral pedigree will not only interpose difficulties in the way of the conversion of the heathen population, but his own unchristian mode of life must more than counteract all the professional catechisms in the world. The last task, that of the moral and religious improvement of the Slave and the Hindoo, is therefore one in which the discretion of a man of the world is wanted, as much as the zeal of a mis-

sionary, or that patience which is stronger even than such obstacles as can proverbially provoke a saint. For its successful accomplishment, the edification of the superior order is almost as necessary a preliminary as the preparation of the minds of their despised inferiors—without which preparation, the soil cannot be expected, by any rational husbandman, to be in any way ready for the seed.

As regards these three classes of duties, Bishop Middleton was eminently adapted for the first. It may be doubted whether Bishop Lipscomb, by becoming a sort of planter's chaplain, is taking the most effectual means for the real eventual attainment of the second object. Meanwhile, however, there can be no manner of doubt but that the course which he is pursuing must personally secure for him a quiet Creole existence in Jamaica. Bishop Coleridge and Bishop Turner, we really trust, have a considerable claim to the confidence of the public, from their zeal and competence for the honourable discharge of the last, as well as of the two former obligations.

Still, it will probably be long indeed, ere our colonial empire shall see again a bishop who united these appropriate qualifications in so high a degree of excellence as Heber. Some allowance must, we suppose, be made for the cayenne pepper, or almost the poison, which an Eastern sun seems to drop into the blood of certain temperaments. Yet we cannot sufficiently reprobate in Christians anywhere, most especially in Christians who are placed in India as beacons on a mountain top, the religious animosities and wretched vestry squabbles about mere local spiritual precedence, and other ecclesiastical trifles, which awaited the Bishop on his arrival, and which, we fear, have not been buried in his grave. It is hard to think that the bitterest drop in his cup of martyrdom came from members of his own clergy; and that out of the few Christian ministers scattered on the shores of India, there could be found any, who, in the storm of petty interests and passions, forgot the dignity of their calling, and the boundless prospects of a Christendom in the East.

There are two admirable letters addressed by Heber in this, the most painful of his episcopal duties, to one of the rebellious spirits, a Mr Davies, the senior chaplain at Bombay. The Editor of Jeremy Taylor's Writings had not lived so long in company with that most gentle and affectionate of divines, without learning to clothe even his remonstrances with a tenderness of feeling beyond the courtesies of ordinary men. 'In the meantime, I 'entreat you, as your fellow-labourer in the Lord, as your spiritual father (however unworthy the name),—I advise, exhort, 'and admonish you, that you no longer seek to narrow the use-

'fulness, and impede the labours of your brother,—that you no 'longer continue to offer to the heathen, and those who differ 'from our church, the spectacle of a clergy divided among themselves, and a minister in opposition to his spiritual superiors; 'but that you recall your unguarded words; that you recollect 'your ordination engagement; and even if you are still unconvinced as to the full extent of the claims which your archdeacon 'and your diocesan possess over you, that you would be ready to 'abandon, for the sake of peace, some little of your supposed independence, and rather endure a wrong than violate a charity.'

Mr Robinson's Journal is written with none of the servility which is vulgarly supposed to constitute the ordinary relation between a bishop and his chaplain. It has, instead, all the enthusiasm of that generous and instinctive admiration which is the freemasonry of congenial spirits. It abounds in proofs, from one end to the other, of the instantaneous rapidity with which Heber won upon the affections of the remote and scattered individuals, irregular, as well as regular, who were really worthy of the ministry of Christian exile in which they had engaged. The church missionaries at Ceylon hardly saw him, before they exclaimed, (it is sad that modern Bishops should have rendered the distinction so expressive even among themselves,) 'This is 'the golden age of the church restored: this is indeed the spirit 'of a *primitive* Bishop.' The scene when they presented him an address testifying their joy 'at seeing a friend, protector, and 'father, in their lawful superior,' would be beautiful as a romance. 'We were embowered in the sequestered woods of 'Ceylon, in the midst of a heathen population, and yet here was 'a transaction worthy of the apostolic age; a Christian bishop, 'his heart full of love, and full of zeal for the cause of his Divine 'Master, received in his proper character by a body of missionaries of his own church, who, with full confidence and affection, 'ranged themselves under his authority, as his servants and 'fellow-labourers;—men of devoted piety, of sober wisdom, 'whose labours were at that moment before us, and whose re'ward is in heaven. It realized my ideas of true missionary 'labours.' The address by the archdeacon and his clergy, and the Bishop's answer, must have been very different things from what we are accustomed to see in England, in the ordinary request of a visitation, that his Lordship will be graciously pleased to print his Charge. 'It was a delightful and beautiful sight,— 'the world perhaps can show but few equal to it,—a Christian 'bishop presiding among his clergy on such an occasion, and in 'such a manner.' 'All parted with many tears. Is this the nine'teenth century, or the first?'

Mr Robinson soon found himself bound to his superior, by ties of private as well as public feeling. Speaking of one of those sudden deathbeds so familiar in that climate, he says, 'You will not wonder that I should love this man, seeing him 'as I see him, fervent in secret and individual devotion, and 'at one hour the centre of many labours, the apostle of many 'nations; at another, snatching the last moments to kneel by 'the bed of a sick and dying friend, who, but a fortnight ago, 'was a perfect stranger to him.' An early conversation between the chaplain and his bishop, on the debateable topic of clerical prayer-meetings, had incidentally brought their hearts together on holy ground—the memory of just men made perfect—by one of those unpremeditated impulses of kindred feeling, after which there can be no reserves. The mention of his father's name, the late excellent Mr Robinson of Leicester, in such a manner, must have been irresistible to such a son. 'It led us naturally to converse on his many excellencies; and 'on my remarking that I had often felt ashamed when I con-'trasted my own ample income with the scanty provision which 'such a man had received from the church, he said, while his 'eyes filled with tears,—"What then ought I to feel!"'

The charm of Heber's society in ordinary circles, arose not so much from his accomplishments and versatility of talent, as from the kind and lively sympathy with which the occupations, interests, and feelings of others seemed to become at once his own. His Private Journal has already shown us how naturally he fell in with the pursuits, habits, and characters of the successive strangers into whose company he was brought, by the chances of his protracted Journey. If religion was pre-eminently the passion of his inward life, it was not his sole enjoyment. And he carefully avoided the great mistake of bringing it, 'either in 'conversation or in literature,' too much, too technically, or at all unseasonably, forward. Architecture, philology, literature, innocent amusements of every kind, from sketching a pagoda to riding foremost in a tiger hunt, as long as each came naturally in his way, could none of them come amiss. Mr Robinson's observation on their dinner with the French party at the Governor's of Pondicherry, must, of course, apply equally to every form of intercourse, in a case where tolerant benignity had a deeper root than mere gentlemanly good-breeding: 'There was 'a tact and consideration for the national and literary preju-'dices of others, that particularly endeared him to the little 'circle of to-day.'

Munro, in his private letters, as in his public speech on Heber's death, bears the same testimony to those virtues by which, out

of the pulpit, as well as in it, he found his way to all hearts. 'These sentiments towards him,' he says, 'were everywhere 'felt. Wherever he passed in the wide range of his visitation, 'he left behind him the same impression.' Munro was not a man to destroy the value of his good opinion, by praising where praise was not deserved. Still the following scene, which had taken place so short a time before, when it had been the Bishop's office to present publicly a vote of thanks from the Society to Lady Munro, for her patronage of the schools at Vepery, may well account for his 'hardly trusting himself to speak of him as he 'could wish.' Mr Robinson describes the scene as follows:—'I 'have seldom witnessed a more interesting or affecting picture: 'the beauty and gracefulness of Lady Munro, the grave and com-'manding figure of the governor, the youthful appearance and 'simple dignity of the dear bishop, the beloved of all beholders, 'presented a scene such as few can ever hope to witness. Sir 'Thomas listened with deep interest to every word that the 'bishop addressed to her, and then said, while he pressed his 'hand, and the tears were rolling down his venerable cheeks,— '"My lord, it will be vain for me after this to preach humility 'to Lady Munro; she will be proud of this day to the latest 'hour she lives."—"God bless you, Sir Thomas!" was the only 'answer the feelings of the bishop allowed him to make—"And 'God bless you, my lord!" was the earnest and affectionate 'reply.'

His contempt for *humbug*, (to use a low word well understood in high places,) and his reliance on the good sense of mankind for the natural influence of a character that had nothing to conceal, perhaps led him in some slight matters—'the mint and 'cummin' of paraphernalia and conventional propriety—not to be formalist enough. Bishop Middleton would turn in his grave at the thought of being succeeded by a Bishop, who could ride about in white trowsers and a white hat. Yet, notwithstanding the contrast, Archdeacon Barnes amiably admits, that very little need be deducted either from personal merit or public serviceableness by reason of an indifference about canonicals, when the heart is truly apostolical. 'I see the advantages that Christian-'ity and our church must possess in such a character, to win 'their way and keep all together in India.' This is some compensation, it must be allowed, considering what, after all, a Bishop is really wanted for; at least in countries across the line.

Heber, author of *Palestine*, (the only prize poem worth reading)—closely connected with Sir W. Jones, (the most popular of our Orientalists,) had long allowed his imagination and his devotion to catch him up in trance or vision, and transport him

to the East. Now, when more than the dreams of a romantic youth were realized to his manhood, by consecration to a Christian diocese lying even beyond the utmost bounds of the Syrian churches, and the last legendary traces of the labours of St Thomas, he was not likely to err, from a want, at all events, of zeal. According to his usual humility, the feelings with which he exchanged friends and prospects, such as few could leave, (for few indeed are in the English enjoyment of them,) for his Indian appointment, are represented by himself under the imperfect image of that sense of duty, which priest and soldier are alike called upon to obey. Yet something more than the superintendence of a well-regulated conscience, or the unflinching principle of professional obedience, could have alone created that spirit of enthusiasm which we find rising not only equal, but superior to every call. It beams forth on these occasions so spontaneous and so vivid, that, for a time at least, the coldest reader must enter into, and almost share, the missionary's feelings.

Fortunately, as we have said, we are admitted, owing to the accidental preservation of a Journal by Mr Robinson, to a few striking scenes of this description. Two or three of these we will extract. 'When I tell you that at seven this morning the 'Bishop attended the Malabar church, and pronounced the be-'nediction in *Tamul*,—that he preached a sermon for the Society 'for the Propagation of the Gospel in Foreign Parts, at the Eng-'lish church in the fort, at eleven, and administered the sacra-'ment to upwards of two hundred communicants,—that at four 'he attended the Cingalese church, and delivered the blessing 'in that language,—and, at half past six, the English service in 'the fort,—you will not wonder that we are exhausted. I said 'as we drove home,—"I fear you are exhausted;" he said, "I 'am tired indeed, but I would give some years of my life for 'such days as this."' But there is nothing in Ceylon, or in the rest of India, like the missions of the South. Swartz has left behind him at Tanjore a Rajah, who, although not a convert, is yet a protector of converts, and whose grateful devotion to the memory of Swartz, is one of the most extraordinary testimonies to that extraordinary man. The Tamul service, in a Christian church, to a congregation of 1300 natives, was a sight which must have rewarded Heber by the conviction, that his life would not be sacrificed in vain. 'The effect was more than electric; 'it was a deep and thrilling interest, in which memory, and 'hope, and joy, mingled with the devotion of the hour, to hear 'so many voices, but lately rescued from the polluting services 'of the pagoda, joining in the pure and heavenly music of the 'Easter hymn. For the last ten years, I have longed to wit-

'ness a scene like this, but the reality exceeds all my expecta-'tions.'—'The Bishop's heart was full; and never shall I forget 'the energy of his manner, and the heavenly expression of his 'countenance, when he exclaimed, as I assisted him to take off 'his robes, "Gladly would I exchange years of common life for 'one such day as this!"'

Few European *salons*, or few conversations in their bow-windows, can show a rival picture to the following sketch from the residency at Tanjore. Newton would probably have fled from the profanation of sacred music; and the excommunication which Scott incurred, in consequence of his testimony against the inconsistency of luxurious dinner parties composed of persons professing religion, (so that 'gout might soon become one of the 'privileges of the gospel,') would probably have kept him also from such an entertainment.

'In the evening, after the Bishop's visit to the Rajah,' (Mr Robinson continues,) 'we had some excellent music at the residency, and the relaxation was as necessary to him as it was delightful; he enjoyed it exceedingly, and was particularly struck with the performance of two Brahmins, who accompanied Mrs Fyfe in several difficult pieces, and afterwards played the overture in Samson *at sight*. But in the midst of his evident enjoyment of this intellectual luxury, his thoughts were fixed on higher and nobler objects of interest; and while all around him thought his ear only was employed, his heart was devising plans for the benefit of these neglected missions, and dwelling on the prospects of their success. I believe it is often thus, when he is most the delight and admiration of society. He called me to an inner drawing-room, to communicate a suggestion that had just occurred to him, and which he desired me to carry into effect. We were standing by an open window, looking out upon the garden, over which the moon had just risen. I know not why I should tell you these trifling circumstances, but the scene, with all its features, will never be effaced from my recollection. It is fixed for ever in my remembrance, by the powerful spell of his noble and heavenly spirit, and the memorable sentiment with which our conversation closed. I expressed my fears that his strength would be exhausted by this unwearied attention to all the varieties of his great charge; adding, that now I understood the force of St Paul's climax, "That which cometh upon me daily, the care of all the churches."—"Yes," he exclaimed, with an energy worthy of the apostle himself, "but that which overwhelmed him was his crown and glory!"'

Whilst the holy flame of heavenly aspirations glowed thus intensely in him, its light was clear and steady. It pointed to a high definite purpose. Yet, instead of obscuring this purpose in one undistinguishing glare, it penetrated and illuminated every part, till each was visible in its due proportions, shadows, and degrees of brightness. The path to be pursued, and the

means which ought to be employed, were examined only the more diligently, because of their heavenly relations. With him it would be no excuse, that 'a light which led astray,' had been taken for 'a light from heaven.' He earnestly seized on every occasion of conciliation towards the other Christian communities of the East. He joyfully opened a communication with the Syrian churches of Malabar; anxiously encouraged the Armenian clergy; and made proposals for translating the liturgy into Armenian. One of his great objects was to establish a connected chain of missions. Whilst he called for more recruits from England, and lamented the general indisposition at home to volunteer into the Indian church, he made it a point, with the view of preparing native ministers, to raise funds for the education of teachers in Cingalese, Tamul, &c., as also for the establishment of similar foundation scholarships at Bishops' College.

His zeal for the cause, and the spirit with which he entered into these details, did not blind him to the real difficulties of this part of his duty. He might have read an excellent Minute by Munro on the subject of conversions. The known discretion of our Indian government upon this point, and the perfect indifference with which the natives consequently regarded an episcopal tour through the Peninsula, are sufficient security against all private or public danger. But there is a further discretion wanting, in the personal method of approaching the object of their labours, which government cannot give, and which few missionaries, except Swartz, appear to have been able to unite with the ardour, scarcely in itself less necessary for their calling. Swartz's flock is, accordingly, the only exception to the miserable return, which we once saw, of the number of converts in India, classed according to the Christian communion which they had joined, and the different means which had apparently been employed for their conversion. Mr Robinson says, that in Ceylon many of the nominal Christians, whom the Dutch system of employing no man in any office who did not profess Christianity, had, in their time, brought over to the religion of their masters, have thrown off the mask under our government, and have declared themselves again heathens. The indiscretion which we complain of, has wasted our best strength in what has appeared to many a hopeless warfare. This hopelessness has been increased, if not created, by the mode in which the campaign has been usually carried on. Also other circumstances, besides mere success, demand imperatively, in each several case, a distinct and solemn consideration on the part of all sober persons. Under the actual prejudices by which the native popula-

tence for this dictation over the habits of his countrymen, (on which their respective influence in society depends at present,) by stating that caste is not a religious, but a civil distinction. Nevertheless, these young fanatics have had the insolence to denounce the Apostle of India and his venerable colleagues, as corrupters of the gospel, who had done great mischief to the cause of Christianity. There is an excellent letter from the Bishop to the Rev. Mr Schreivogel, reproving this intolerance, and still more strongly deprecating any attempt, on religious grounds, to meddle with their social customs, their meals, processions, dances. We trust that a due impression was left by his emphatical conclusion. 'God forbid that we should encourage or suffer any 'of our converts to go on in practices either antichristian or 'immoral; but (I will speak plainly with you, as one brother 'in Christ should with another) I have also some fears that 'recent missionaries have been more scrupulous in these matters 'than need requires, and than was thought fit by Swartz and 'his companions. God forbid that we should wink at sin! But 'God forbid, also, that we should make the narrow gate of life 'narrower than Christ has made it, or deal less favourably with 'the prejudices of this people, than St Paul and the primitive 'church dealt with the almost similar prejudices of the Jewish 'converts.'

Our line of observation cannot be universally satisfactory; but it is one which wanted tracing; and its object, however misrepresented, can scarcely be honestly misunderstood. We hope that we have done justice to the personal merits of the admirable men whose system of theology we have ventured to condemn. Theology, in one sense, is the highest part of morals, and as such should fulfil the wants of the whole moral constitution of man. Sanderson's authority is scarcely wanted for the fact, that 'the law of right reason imprinted in our 'hearts is as truly the law and word of God, as is that 'which is printed in our Bible.' Far be it from us to banish imagination and feeling (the poetry of religion, that by which we love God as well as know him) out of our closets and our churches. We insist, however, on the propriety of keeping them in subjection to an overruling reason. The example of Heber, in whose praise all parties appear at last to have united, seems to prove that religion, moulded and softened into accordance with the innocent principles of our nature, and construed in conformity with the rules of an unsophisticated understanding, may maintain our spirits in an elevating, yet not dizzying, intercourse with heaven; whilst, on the other hand, it avoids those consequences of personal wretchedness which af-

frighted Cowper,—those storms of unpopularity which convulsed Olney, or those alternations between hot and cold—enthusiasm and unbelief—which are seen to have triumphed in turns, even over the elastic faith of Newton and of Scott. With the religion of Heber, a good man must be always happy in himself, always beloved by others, and secure at all times against the possibility of evil doubts, from its plain consistency with the goodness of God. Above all, what we admire in Christianity, as preached and loved by Heber, is the perfect toleration with which he is always turning articles of faith into articles of peace, and spreading open his arms to receive in this world those whom he would rejoice to meet with in the next. This is the spirit with which we remember hearing Robert Hall exclaim, in one of his noble bursts of pulpit eloquence, 'For I hold, 'if there be one truth clear as the sun in heaven, it is this '—there should be no terms of communion but what are 'terms of salvation; and he who is good enough for Christ is good 'enough for me!' It is the spirit, too, of one of our elder Masters, even greater still, with whose *nunc dimittis* we conclude. 'The 'consequent in order to conscience is, that no man lose his peace 'concerning the controverted articles, and disputes of Christen-'dom. If he enquires after truth earnestly, as after things of 'great concernment; if he prays to God to assist, and uses 'those means which are in his hand, and are his best for the 'finding it; if he be indifferent to any proposition, and loves it 'not for any consideration, but because he thinks it true; if he 'will quit any interest rather than lose a truth; if he dares own 'what he hath found and believed; and if he loves it so much 'the more, by how much he believes it more conducting to piety 'and the honour of God;—he hath done what a good and wise 'man should do; he needs not regard what any man threatens, 'nor fear God's anger, when a man of another sect threatens 'him with damnation; for he that heartily endeavours to please 'God, and searches what his will is that he may obey it, cer-'tainly loves God; and nothing that loves God can perish.'

ART. X.—*The Greek Grammar of* Frederick Thiersch, *translated from the German, with brief Remarks*, by Sir D. K. SANDFORD, M.A. of Christ-Church, Oxford, and Professor of Greek in the University of Glasgow. 8vo. Edinburgh: 1830.

IT is very much to be regretted, we think, that grammar, or the science which treats of words, and the various modifications they experience, should have so seldom been prosecuted in a scientific or rather philosophical spirit. On no subject of enquiry, indeed, has there been more pedantry, and less precision, more ostentatious dogmatism, and less real knowledge displayed, than that of grammar. Fine names have been invented, arbitrary rules accumulated, exceptions laboriously arrayed, gratuitous suppositions made, and unphilosophical shifts resorted to; while analogies have been overlooked, and the real causes and reasons of the peculiarities to be met with in language have remained unexplored. Nor has it often occurred to grammarians that ignorance might lie concealed under a circumlocution, and that a mere technical term, though it might express a fact, could not supply the want of explanation. If, for example, we meet with a dative case, where the laws of construction require a genitive; or a word used in a way which seems to violate the analogy of language; or certain unaccountable changes in the forms of words; our knowledge will not be much increased by merely telling us that the first is *per schema colophonium*, the second a *catachresis*, and the third a *metaplasmus*. These are terms expressive of nothing but ignorance, or rather they are the masks under which it is concealed. Men are too apt to delude themselves into a belief that they have discovered an explanation, when they have found only a name; to acquiesce in an established nomenclature, without considering the principles upon which it was originally formed; and thus to stop short in their enquiries at the very point where the real difficulty begins. The incurious are satisfied with superficial information, and indolence says it is enough. But this tendency, which so long obstructed the progress of grammatical investigation, has been at length overcome; the operations of the human mind have been anxiously examined, and carefully classified; while the principles of language, which are intimately connected with, and indeed vividly reflect, many of the most interesting mental phenomena, have been laid down with a precision and accuracy altogether unknown to the ancients. Hence the science of grammar generally has received a prodigious extension; and that of the Greek language, in particular, has been enlarged

and systematized with unexampled industry and success, especially by the scholars of Germany, who are ever foremost in the race of improvement.

With respect to the older grammarians, the farther back we go, the more absurd and unreasonable do we find them. Having no fixed principles to guide their researches, they are perpetually differing from one another and from themselves; minute without accuracy, brief without conciseness, and full of distinctions which end in nothing but perplexity. The oldest complete grammar, that of Dionysius the Thracian, is contained in twenty-five short sections, occupying only fourteen octavo pages; yet small as it is, it abounds with minute and vexatious distinctions, which have been overlaid with more than three hundred pages of scholia, filled with that miserable trifling peculiar to grammatical annotators. The *Erotemata* of Demetrius Chalcondylas, and the *Institutions* of Aldus Manutius, possess little value besides that which they have acquired from their rarity; and the remains of Apollonius Dyscolus, of Choeroboscus, Joannes Philoponus, Moschopulus, and others, are all, in a greater or less degree, of the same character with the short sectional treatise of Dionysius the Thracian. The *Erotemata* of Chrysoloras is in no respect superior to the work of Chalcondylas; and the Grammar of Constantinus Lascaris, though curious as being the first entire work printed with the Greek type, is a collection of bare rules, without illustrative expositions. A step in advance, however, was made by Henry Stephens, and his pupil Sylburgius, who introduced some improvements in the mode of treating the subject. The remarks of the latter on the Greek Grammar of Clenardus are full of learning, especially his Compend of Syntax; but although he did much towards the classification of the language, he left its grammar nearly as involved as he found it. Angelus Caninius gave the first accurate account of the dialects, and Laurentius Rhodomannus reduced all the Greek nouns to three declensions; an improvement which was successively claimed by Weller, who introduced it in his Grammar, published in 1630, and by Claude Lancelot, the author of the Port Royal Greek Grammar; although the truth seems to be that Weller borrowed it from Rhodomannus, who mentions it in his *Philomusus*, and Lancelot borrowed it from Weller. The Port Royal Grammar is too well known to require almost any observation. Its nine books are subdivided into a multiplicity of detached rules, abounding in mistakes, and illustrated by examples taken from inferior writers. At the same time, Weller and Verwey made considerable progress towards simplification; and a great addition was also made to

grammatical knowledge by Fischer's remarks upon Weller's treatise, which display much industry, and abound with new observations.

But Hemsterhuys far outstripped his predecessors by the boldness and originality of his views, no less than by the learning and sagacity with which he supported them. Availing himself of some hints thrown out by Scaliger and Vossius, and probably influenced by considerations drawn from the peculiar structure of the Oriental tongues, he was led to conclude that the primary verbs consisted of two or three letters, from which all the other forms and inflexions were derived; and that, by skilful decomposition, the root or elementary part might, in every case, be determined. Plausible arguments may be urged in favour of this etymological theory, which was received as a great discovery by Valcknaer, Rhunken, Lennep, Albert Schultens, Everard Scheide, the Bishop of St David's, and others; but notwithstanding all this weight of authority, it seems to us, we confess, to be radically unsound. Much of the Greek language is of Asiatic origin; a considerable portion of its vocabulary is pure Sanscrit; the whole of its inflexions and conjugations have been modelled upon the sacred language of India. Greek and Sanscrit answer to each other as face answers to face in a glass. But, in Sanscrit, the roots or elementary parts are of posterior formation; they are the work of grammarians alone—mere technical elements obtained by arbitrary resolution, not primary or original forms, convertible into new species of words by the artifices of inflexion and conjugation. They are not natural roots, and consequently can have had no share in the original formation of the language. They are significative by consonants alone; and for this reason differ diametrically from Greek roots, which are significative or determinable by vowels only. The theory of Hemsterhuys is therefore wholly inapplicable to all that portion of the Greek which is incontestably of Asiatic origin; and there would be no great difficulty in showing that it is equally so to the remainder. But whatever objections may be taken to the speculation of Hemsterhuys, it certainly tended to stimulate enquiry, and produced many collateral investigations of the greatest importance to the general science of grammar. In Hermann's celebrated treatise *De Emendanda ratione Græcæ Grammaticæ*, there is much to gratify the lovers of philosophical discussion as applied to the subject of Greek grammar; and although it may be true that he trusted too much to metaphysical principles and 'the universal nature of speech,' it seems at least equally so, that his example has operated powerfully on the minds of his learned countrymen, and encouraged them to undertake and

execute those valuable works on the subject which have recently appeared in Germany, and which reflect so much credit on the transcendent scholarship of that country.

According to a distinction laid down by Lord Bacon, there are two kinds of grammar, the literary and the philosophical; the former treating of the analogy of words to one another—and the latter, of the analogy subsisting between words and things. The one of these, it is obvious, may be kept quite distinct from the other, and, for mere practical purposes, it may be desirable that this distinction should be observed. But, on the other hand, it can scarcely be doubted that the most perfect grammar is that in which the literary is tempered with the philosophical, and in which, without diverging into speculative generalizations, principles are employed to connect and classify facts. This is the aid which science naturally lends to practice, and which practice repays, by contributing in its turn to extend the boundaries of science. Accordingly, most of the valuable Greek grammars which of late years have been published in Germany, appear to have been constructed on what may be called the *composite* principle; in other words, their authors have sought to combine philosophical views of general grammar with perspicuity of arrangement, and fulness of exemplification, in as far as regards their immediate object; at the same time endeavouring, with more or less success, to render the one subservient to the other. Of this class of works, the most distinguished are the grammars of Matthiæ, Buttmann, and Thiersch. Matthiæ is clear, full, and comprehensive; his views are generally sound, and his system of syntax is admirable. Buttmann is more profound, but less luminous and practical, than Matthiæ; and his ample erudition is not always digested in the best possible order. Thiersch is superior to both in the essential requisites of correctness and philosophical precision; while, as exhibiting an historical analysis of the Greek language, his work is perhaps unrivalled. It has indeed been said, that this work is less a grammar of the classical language as it appears in the mass of writers, than of that earlier form of it which is called the elder, the Homeric, or the epic dialect; and it is doubtless true, that the learned Professor has treated of the versification and dialect of Homer in all their varieties, with infinite care and elaboration; considering, probably, that a thorough knowledge of these is, as the translator remarks, 'indispensably necessary for those who 'desire to comprehend in their whole depth and compass, the 'Grecian tongue and literature.' But the scope of the work is by no means so confined as this observation would imply; for it is only necessary to glance at the table of contents, to see that the grammar of Professor Thiersch, like all that are mean for

elementary instruction, treats first of the common dialect—then, somewhat largely, of the Homeric dialect—while all that remains to be said of the other dialects is comprised in the appendix. In the part of the work which treats of construction, and which has not yet appeared in an English dress, he has perhaps drawn his examples too exclusively from Homer: but this defect, we are assured, will be remedied in the translation, which will comprise a complete system of Greek syntax from the Homeric down to the Hellenistic dialect, and thus render the work, in its English form, the most comprehensive and valuable that has yet appeared.

We have already remarked, that philosophical precision is the distinguishing character of Professor Thiersch's grammar. As a specimen of this, we shall extract the eighty-fifth section, in which the author treats of the tenses of verbs.

'1. We consider objects either as *now being*, or as *having been*, or as *hereafter to be* affected by their properties, and hence divide time into three parts, the *present, past, future.*

'2. If we consider the three times (χρόνοι, *tempora*) in relation to one another, other distinctions of time appear to attach themselves to those above enumerated, and we may, putting all together, discriminate each particular time as *incomplete, complete*, or *about to be completed.*

'3. Hence we may distinguish,

a Present time.

incomplete,	1. *I am writing* (at this moment the action going on, χρόνος ἐνεστώς, *præsens.*)
complete,	2. *I have written* (have just finished, παρακείμενος, *perfectum.*)
about to be completed,	3. *I am about to write* (immediately, *futurum instans.*)

b Past time.

incomplete,	4. *I was writing*, e. g. when he came (had at that time not yet finished, παρατατικός, *imperfectum.*)
complete,	5. *I had written*, when, &c. (had then finished, ὑπερσυντελικός, *plusquamperfectum.*)
about to be completed,	6. *I was about to write*, when, &c. (was then on the point of commencing.)

c Future time.

incomplete,	7. *I shall or will write*, e. g. when he comes (shall then be about to write, μέλλων, *futurum.*)
complete,	8. *I shall have written* when, &c. (shall then have completed my writing, *futurum exactum.*)
about to be completed,	9. *I shall be about to write* when, &c. (shall then be upon the point of commencing).'

Other distinctions or modifications of time may be conceived; but it is obvious that the nine here enumerated with so much precision, both of thought and expression, are quite fundamental. They must appear in every *genus* of verb, and all the supposed or conceivable differences or varieties must be referable to one or other of these tenses. With respect to the moods, however, we conceive Thiersch to have erred in representing the optative as a distinct *mode* of ascribing existence to an object by means of the verbs—'as only thought of with regard 'to it, as a wish, a conception.' The 'wish' or 'conception' forms no ingredient in this modification of the verb; it lurks in an ellipsis, and may be easily evolved by supplying that ellipsis. *Utinam saperes*, means only *that you were wise;* the optative part of the expression being either gathered from the verb significative of *wishing* or *desiring*, which is suppressed, or, in some cases, supplied by an interjectional exclamation. Hence the optative, as it is called, is nothing more than the past of its corresponding subjunctive; thus ἀναγινώσκω ἵνα μανθάνω, 'I read 'that I *may* learn;' ἀνεγιγνώσκον ἵνα μανθάνοιμι, 'I was reading that 'I *might* learn.'

The translation of this invaluable work,—invaluable alike from the great learning it displays, the philosophical views which it unfolds, and the admirable discrimination which pervades it,—has been executed with singular fidelity and skill; while, in his 'observations' and 'remarks,' with a view of supplying an occasional defect, extending or modifying the application of a principle, or affording additional illustrations, the translator shows the mastery he has acquired over the various forms and niceties of this most difficult language, and proves that, had his object been to produce an original work on the subject of Greek Grammar, his resources of erudition were fully equal to the task. Indeed, we are not quite sure that he would not have acted more judiciously in following this course; for the labour could scarcely have been greater than that which he has imposed upon himself; and the work would have possessed a degree of unity and consistency far greater than can reasonably be expected in a treatise which has called for such elaborate illustration, and in which the system of construction will undoubtedly require to be wholly remodelled. As it is, however, we feel ourselves amply justified in recommending the present work, as one better calculated than any with which we are acquainted to convey an accurate knowledge of the Greek language in all its forms, to prove of equal advantage to the public instructor and the private student, and, finally, if studied with care, to increase the number of those, hitherto supposed to be few, 'who 'understand Homer.'

ART. XI.—*Seventeenth Report of the Commissioners appointed to enquire into the Duties, Salaries, and Emoluments of the Officers, Clerks, and Ministers of Justice of all Temporal and Ecclesiastical Courts in Ireland.—Courts of Quarter-Sessions, and of Assistant Barristers.*—Ordered by the House of Commons to be printed, 14th March, 1828.

THE office of Assistant Barrister is peculiar to the judicial institutions of Ireland. Those of England have nothing analogous to this creature of original Irish legislation. His jurisdiction and duties are twofold; and in both respects of great extent and no ordinary importance. In the one capacity, from which he takes his designation, he is the legal assistant to the justices at the court of Quarter Sessions; in practice, however, he is almost invariably elected and continued as their chairman. In the other, he sits as sole judge in a court of his own, to decide, in a summary way, or, at his discretion, with the aid of a jury, upon the several classes of civil cases, which successive statutes have transferred from the superior courts to his less costly and more expeditious adjudication. The leading particulars of the two jurisdictions, of which we now propose to offer some account, are clearly and accurately detailed in the Report before us; accompanied by some calm and judicious proposals of amendment. In the main, we feel disposed to take the Commissioners of Enquiry as our guides—reserving, however, to ourselves the privilege of using additional matter derived from other sources of information.

Previous to the year 1787, the courts of Quarter Sessions in Ireland varied in no material respect from the tribunals that bear the same name in England. The jurisdiction of the court, and the constitution of the judicial bench, were similar. In Ireland, however, the powers of those courts were so feebly and irregularly administered, and their inadequacy for the punishment and suppression of crime so manifest, that the legislature of the country found it necessary to interpose with respect to particular districts in which violations of the peace more abounded; and, among other experimental changes, to reinforce the magisterial bench with a judicial ally. The immediate occasion of this determination was the alarming state of disturbance that distinguished some of the southern counties of Ireland during the year 1787; and accordingly in that year the Irish Parliament passed an act,* enabling the Lord Lieutenant,

* 27 Geo. III. c. 40.

with the advice of the Privy Council, to divide any counties of the kingdom into districts, in the manner pointed out by the act; and in the counties so divided, to establish a constabulary force for the preservation of the public peace: And, by the same act, it was farther provided, that in the counties so divided, general sessions of the peace should be holden eight times in the year at least; and that a barrister of six years' standing, (not being a member of Parliament,) should be appointed to act as a constant assistant to the justices constituting the Court. The provisions of this statute were immediately put in force in several of the disturbed counties; and the experience of a few years having proved the beneficial effects of the change, another act was passed by the Irish legislature in the year 1796,* extending the same system to all the other counties of the kingdom. Under this latter statute, every county of Ireland is now supplied with an Assistant Barrister, as a part of the judicial constitution of the court of Quarter Sessions. He is a magistrate of the county *virtute officii;* and, as already observed, is almost uniformly elected by the justices to be their chairman.

The subject-matters of the jurisdiction of this court are too well known to require a particular enumeration. It is to be observed, however, that in Ireland, the accession of a professional lawyer to guide its proceedings, has had the effect of drawing within its ordinary cognizance a large class of cases of aggravated misdemeanours, which in England, though within the jurisdiction, are considered as too weighty to be determined at the Quarter Sessions, and are consequently sent for trial to the Assizes. The offences that form the principal business of the Irish courts of Quarter Sessions, are assaults and batteries, riots, rescues of cattle and goods distrained, and forcible entries upon land. They have also jurisdiction over all cases of simple larceny; and by a statute of 1829, are empowered to pass sentence of transportation for seven years in certain cases of violent assaults. The responsibility of conducting the administration of criminal justice in this court in a proper and legal form, devolves upon the Assistant Barrister as the chairman. He has to charge the grand and petty juries, to take accurate notes of the evidence, to pronounce the sentence of the court upon offenders; and in all cases of memorials to the Crown, praying for mercy, or complaining of any proceeding held in the court, the established usage of the government is to refer the

* 36 Geo. III. c. 25.

matter to the Assistant Barrister, and to act in conformity with his opinion upon the case.

We pass on, for the present, to the other branch of the Assistant Barrister's functions, as sole judge of the Civil Bill Court; and as the expediency of cheapening and accelerating justice, by the creation of analogous tribunals in England, is now occupying the public attention, we shall offer no apology for explaining, in some detail, the machinery through which the objects of the institution are effected in Ireland.

The Civil Bill (or Assistant Barrister's) Court, is emphatically the poor man's court—a court 'for the recovery of small debts in 'a summary way;' and in tracing it back to the period of its first establishment in Ireland, there is something not incurious from the juxtaposition of dates. In the reign of Anne, as now, the great mass of the Irish poor were Roman Catholics; and we find this attention to their civil wants commencing under the auspices of the framers of the celebrated act 'to prevent the 'further growth of Popery.' That statute is the 2d of Anne, chap. 6; and the 2d of Anne, chap. 18, 'for the ease of the 'subject in recovering small debts, dues, and demands, in a 'cheap and summary way,' (as expressed in its brief preamble,) laid the foundation of the present institution. It provided, that demands, of the nature and amount therein specified, should be recoverable in a summary way before the going judges of assize. The form of proceeding was to be by civil bill, (of which more hereafter,) and the jurisdiction was in no case to extend beyond L.10; but the experience of above forty years caused it to be confirmed and enlarged; and by a statute of the 1st Geo. II., the jurisdiction was extended to L.20 in particular cases. Thus enlarged, it continued to be exercised, without further alteration, so long as the trial of causes by civil bill remained a part of the circuit-business of the judges of assize; but in process of time,* 'the business of the Courts of Assize and Nisi-Prius 'increased with increase of property and population. Suits by 'civil bill also increased. In many counties the civil bills to be 'heard and determined constituted the chief part of the business 'of the judge presiding in the civil court. Under these circum-'stances, it was not unusual for the business of the assizes to be 'so protracted as to occupy the whole period of what remained 'of a vacation, and in some instances to require the assistance 'of a third judge. Other indispensable duties of office made it 'impossible for judges to enlarge the time of circuit in propor-

* Report, pp. 17, 18.

'tion to the increased accumulation of business. This inade-
'quacy of time was necessarily productive of hurry, irregularity,
'and consequent confusion; and the administration of justice,
'thus impeded, suffered in its effects as well as dignity.' To remedy these, and other inconveniences, and to revive, as far as might be, the ancient principle of 'bringing justice home to 'the door of every cottage in the kingdom,' the institution was altogether remodelled in the year 1796, by the act of the Irish legislature, already referred to, (36th George III. c. 25,) which created a new court, and a separate judicial officer, for the trial of civil bills in every county. This statute is the foundation of the jurisdiction in its present form; subsequent acts of Parliament have materially extended it—but it would be needless for our present purpose to specify the respective dates of the several enactments. It is sufficient to say, that, taken altogether, they form an original and peculiar code, which we shall endeavour to compress into an intelligible outline.

The Civil Bill Court is a court of record. The Assistant Barrister, who presides in it as sole judge, must be a practising barrister of at least six years' standing. He is nominated by the Lord Lieutenant, and holds his office during the pleasure of the Crown. His emoluments are derived, in part, from a fixed salary of L.400 a-year, late Irish currency, and partly from fees, that vary in the aggregate amount according to the number of cases brought before him. The clerk of the peace acts as the register, and the sheriff as the general ministerial officer of the court. In addition to the inherent power of a court of record to enforce order and respect, the Assistant is expressly empowered by the statute, to punish any violation or neglect of duty in those officers by fine, and any misconduct on the part of the attorneys practising in the court by fine and suspension. In pursuance of the act of 1796, every county of Ireland * has been divided into two districts, called divisions, in each of which general Quarter Sessions of the peace, for the transaction of criminal business, are held four times a-year. The Civil Bill Court sits in each division at the same quarterly periods, either before or after the dispatch of the crown business. The object of the division of counties was to approximate the seats of justice to the homes of the inhabitants; and, accordingly, no person can be sued by civil bill, except in the division in which he resides.

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* There are different arrangements for the counties of Dublin and Cork, but the particulars are not material to be explained.

The following are the several cases in which this court has jurisdiction:—

All actions of debt, on bond, bill, or specialty, for payment of money only, and all actions on the case on inland bills of exchange and promissory-notes, up to	L.20 0 0
Actions of trespass for injury done to the plaintiff's person or goods, (criminal conversation excepted,) and all actions on the case (slander only excepted) where the damages laid shall not exceed	5 0 0
Actions of debt by tenants against their immediate landlords, where the tenant, having paid his rent to the immediate landlord, shall be distrained upon by the head landlord, up to	50 0 0
Actions or debt against parties duly summoned to attend as witnesses in the Civil Bill Court, and making default, up to	1 0 0
Actions of ejectment—First, Where the tenant, being in arrear to the amount of half a year's rent, shall desert the premises, leaving them uncultivated, or carrying off the stock and crop, so as no sufficient distress may be had to countervail the arrears of rent then due	Amount of rent reserved unlimited.
Secondly, Where the tenant overholds the demised premises after the determination of his interest .	Limited to cases where the rent reserved shall not exceed L.50 per annum.
Thirdly, Where an arrear of one full year's rent shall be due to the landlord	
Actions of replevin, where the annual amount of the reserved rent, in respect of which the distress has been made, does not exceed	10 0 0

The cases thus enumerated form the subject-matter of the ordinary business of the Civil Bill Court. There are, however, several others of occasional occurrence, over which various statutes have from time to time given this court a jurisdiction; and, finally, it is to the Assistant Barrister that the late act for regulating the registry of freeholds has committed the new and important duty of deciding claims within his county to the elective franchise.

Cheap and speedy justice is the object of this jurisdiction, and the nature of the machinery through which it is thought to be attained, will appear from the following short history of a supposed cause in the Civil Bill Court.

A party, having to commence an action in this court, first obtains two blank forms of a Summons, technically called a Civil Bill, or Process. These forms are on sale in every market-town,

and the price of two is only three or four pence. The following is the form of the process prescribed by the statute :—

County of ——, and Division of ——, to wit:

A B, of ——, in the county of ——, (*addition of Plaintiff*)
Plaintiff.

C D, of ——, in the county of ——, (*his addition*)
Defendant.

By the Assistant Barrister at the Sessions for the said County.

The Defendant is hereby required personally to appear before the said Assistant Barrister, at , on the day of , to answer the Plaintiff's Bill, in an action for the sum of (*here insert the amount of the demand*), for (*here insert the cause of action*), or in default thereof, the said Assistant Barrister will proceed as to justice shall appertain.

Dated this day of
Signed on behalf of the Plaintiff.

The plaintiff's next step is to fill up the blanks by inserting his name and addition, and those of the defendant, the cause of action, the amount of his demand, the day and place of the defendant's required appearance, and the signature of the plaintiff, or of some one on his behalf. If the plaintiff can write, he fills up the blanks himself, if not, he applies to the nearest friendly penman; but in this stage of the proceedings, it is unusual to call in the aid of an attorney.

The Process having been thus prepared, a copy of it is to be served on the defendant. Formerly, the plaintiff might have selected any person to perform this office; but that practice having been found to lead to manifold abuses, the legislature interfered, and by the provisions of a recent act, the Assistant Barrister is directed to appoint proper persons, being householders, and residing in market towns, to be officers of the court for the service of civil bill processes. They have a salary of L.10 a-year paid by the county, and a fee of 6d. paid by the plaintiff for the service of each process; and they alone are now legally competent to effect and prove such service. To one of those officers, therefore, the plaintiff resorts, and paying him the fee of 6d., hands him the process in duplicate. Of these, one copy is to be served on the defendant personally, or in some other of the several modes of service required by the civil bill acts. If the demand does not exceed L.10, the service is to be effected six days before the first day of the sessions, or twelve days before, if the demand exceeds that sum. Thus far the process is analogous to a writ of mesne process at common law issuing from the superior courts. The other copy of the process is retained by the process server, (who enters the parti-

culars in a book that he is required to keep for that purpose, until the first day of the sessions, when he attends in court, and delivers it back to the plaintiff or his attorney. The cause is then entered by the clerk of the peace in his book of the civil bill proceedings. This entry consists of a short extract from the process, setting forth the names of the parties, plaintiff and defendant, and the nature and amount of the plaintiff's demand.

The suitors in this court are not bound to appear by their attorney, but in practice they almost invariably do so; and accordingly the ordinary course is to have the entry effected through the plaintiff's attorney. The cause being entered, is ripe for a hearing, and is called on in its turn according as it stands in the book of entries. The plaintiff's first preliminary proof is the same in all cases, namely, that of the service of the process, and this is now effected with certainty and expedition. On the first day of the sessions, all the process servers of the division are sworn as witnesses, generally, touching such service in every cause that shall be called on; and a separate place is assigned them in the court, where they attend from day to day till the termination of the sessions. By this arrangement, the plaintiff's attorney is enabled at once to prove the service by handing the plaintiff's copy of the process to the particular process server, whose name he finds endorsed on it. The saving of time and of perjury effected by this mode of proof is incalculable. The service having been thus proved, the plaintiff's copy of the process now assumes the nature of a declaration at common law, and his attorney 'opens the pleadings,' by reading from it the part that sets forth the nature and amount of his demand. The plaintiff's witnesses are then produced and examined—all persons residing within the county are compellable to attend and give their evidence. The Civil Bill Court is a court of strict law for the plaintiff, that is to say, he must, as a general rule, sustain his case according to the same rigid principles that would apply if the same issue were to be tried by a jury at common law. With the defendant it is otherwise. First, He is exempted from all the technicalities and embarrassments that attach to written pleadings; whatever matter of defence he relies upon, he can plead *ore tenus;* and secondly, The court is for him a court of equity. He can resort to every equitable ground of defence, and among them, can appeal to the oath of the plaintiff, and sift his conscience on the subject of his alleged cause of action. In all cases of controverted facts, the Assistant Barrister, if he so pleases, can call in the aid of a jury. We find in the Report before us, that 'a desire to avail themselves of this assistance

'in aid of their doubts and relief of their responsibility, had 'generally occurred to barristers appointed to this jurisdiction; 'but that as generally, on further experience, they were deter-'red from the practice, and often at the request of the parties 'have omitted to use it.' The fact at which the Report only glances is, that neither the barristers nor the public were satisfied with the verdicts given; and that consequently the suitors of the court, from their greater confidence in the judgment and integrity of the Assistant Barrister, have a general reluctance to see the questions that concern them transferred from his sole decision to that of a nominally more popular tribunal.

The evidence having closed on both sides, the Assistant Barrister, if his determination be in favour of the plaintiff, pronounces his decree accordingly; and an entry to that effect is made by the clerk of the peace in his book. The decree itself is afterwards prepared by the plaintiff's attorney, and being signed by him and by the clerk of the peace, finally obtains the signature of the Assistant Barrister. We insert below the form of a decree, as prescribed by the statute, with the sheriff's warrant appended, which, taken together, have the operation of the verdict of a jury at common law, followed by the judgment of the court, and the issuing of a writ of final execution thereupon.*

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* Form of a Decree:

No. ——
County of ——
Division of ——
A B, of ——, in the County of ——
(*here insert the addition or occupation of the petitioner or petitioners.*)
Pet.(s.)
C D, of ——, in the County of ——
(*here insert the addition or occupation of the defendant or defendants.*)
Deft.(s.)

By the Assistant Barrister at the Sessions for the county of ——.

It appearing to the court that process to appear at this present session was duly served on the defendant(s), and that the defendant(s) is (or are) justly indebted to the plaintiff(s) in the sum of pounds shillings and pence, for (*here state the cause of action from the process.*) It is therefore ordered and decreed by the court, that the plaintiff(s) do recover from the defendant(s) the said sum, together with shillings and pence costs; and the several sheriffs of the respective counties within this kingdom of Ireland, are hereby commanded, notwithstanding any liberty within their bailiwicks, to enter the same, and take in execution the (*body, or bodies, or goods, as the case may be*) of the defendant(s), to satisfy the said debt and costs.

Dated at , this day of , 18

The plaintiff's costs incurred up to this stage of the proceedings, are as follow:—

	s.	d.
Cost of process	0	3
Fee to the process server, for serving the process .	0	6
To the clerk of the peace, on entering the cause .	0	3
To the plaintiff's attorney, for entering the cause with the clerk of the peace	0	6
To the plaintiff's attorney, for attending the hearing	1	0
To the plaintiff's attorney, for drawing up the decree	1	0
To the clerk of the peace, for signing the decree .	0	3
To the assistant barrister, for signing the decree .	1	0
To the sheriff, for granting the special warrant .	1	0

If the determination of the Assistant Barrister be in favour of the defendant, he pronounces a dismiss. Where it appears to him, from the whole of the case, that the plaintiff ought not to recover, he gives a dismiss 'on the merits;' which operates, if not appealed from, as a final and conclusive decision between the parties; but where, on the other hand, the plaintiff's failure to sustain his case arises from some casual circumstance—as the accidental omission of some particular proof, or a technical informality, or any similar cause—the dismiss is qualified accordingly, and expressed to be without prejudice to his suing the defendant again for the same cause of action. In either case, the immediate effect of the dismiss is to give the defendant the costs of his defence. In all cases, also, where the plaintiff does not enter his process within a given time from the commence-

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Debt . . . L.
Interest . .
Cost . . .
Warrant . .

E F, Attorney for the Plaintiff.
G H, Clerk of the Peace for the said county.
J K, Assistant Barrister for said county.

County of ———, to wit: } I authorize and empower A B, o , and C D, of , or ther of them, and their assistants, special bailiffs, at the plaintiff's peril, to execute the above decree. Given under my hand and seal, this day of , 18 .

L M, Sheriff of the said county.

Seal.

ment of the sessions, the defendant is entitled, as a matter of course, to have his copy entered 'for a dismiss.'

Appeals are allowed from the decrees of the Assistant Barrister to the next going Judge of Assize, under the following restrictions: If the party appealing be a defendant, he must lodge the costs, and either lodge the sum decreed, or give sufficient security that it shall be forthcoming, if the decree be affirmed;—if the appellant be a plaintiff, he must also lodge the costs of the dismiss in court, and give security to pay such costs as shall be awarded, if the dismiss be affirmed. An appeal cannot be received without the affidavit of an attorney, (when the appearance is by attorney,) that it is not for delay, but that he believes there is probable cause for reversing the decree, or dismiss, complained of. If the party appealing has not appeared by attorney, no affidavit is required, but the appellant must deposit the money decreed against him, and the costs, in the hands of the sheriff, and further enter into a bond to the amount of L.5 to the adverse party, conditioned to perform, and abide, the decree of the next coming Judge of Assize for the county.

Considering the vast number of decrees pronounced by the Assistant Barristers, appeals from their decisions are very few, and are still more rarely resorted to, upon the supposition that the Assistant Barrister has taken an erroneous view of the case, as it appeared in evidence before him. As the law now stands, an appellant is allowed to make a new case before the Judge of Assize: and accordingly, whenever a party in the Civil Bill Court fails, by reason of his inability to produce on the hearing there some necessary piece of evidence which he will be able to supply before the Judge of Assize, his course is to appeal. There is something incongruous in this, and we therefore fully adopt the suggestions of the commissioners: *First*, that in all cases in which, from ignorance, or inability to produce witnesses at the first hearing, justice shall not be attained, it shall be competent to the Assistant Barrister either to adjourn the cause, or grant a rehearing; and, *secondly*, that a party appealing shall not be allowed to make a new or different case in evidence from that made at the hearing appealed from, but that the same witnesses and documents only shall be examined and exhibited before the Judge of Assize, as were produced at the hearing before the Assistant Barrister.

When a plaintiff obtains a decree, he takes it at his option either against the body or the goods of the defendant; but it often happens that he may find it desirable to make a change in this respect. For instance, the decree having been against the body, the defendant may depart from the country, leaving personal

property within it; or again, the original decree having been against the goods, a part only of the debt and costs may have been levied under the execution. To provide for these and similar cases, and to place the plaintiff from time to time in what he shall consider the most favourable condition for enforcing the satisfaction of his demand, he may renew his original decree once in every six months, or as near thereto as the time of holding the sessions will permit. The renewal is granted as a matter of course, on an affidavit being made before the Assistant Barrister that the whole or a part of the original debt and costs remain due. The same law applies to the renewal of dismisses. No decree or dismiss can be renewed after six years from the making thereof, but the same shall be considered as satisfied after the expiration of the six years and the last renewal thereof.

Before closing our account of the course of proceedings in the Civil Bill Court, we have to observe, that a modern statute (1st Geo. IV. c. 74) contains a provision that operates in the nature of an insolvent act in favour of the poorer class of debtors that may be imprisoned under its decrees. That statute empowers the Assistant Barrister, on the application of such debtor, (if the debt be less than L.10,) to enquire summarily into the circumstances of his case; and at his discretion to make an order that the creditor at whose suit the applicant is imprisoned shall make him an allowance not exceeding 2s. 6d. a-week, and that upon the failure of the creditor so to do, the debtor shall be forthwith discharged from custody.

We have already stated that cheapness and expedition in the enforcing the payment of small debts are the primary objects of the Civil Bill jurisdiction; and from the foregoing outline it has been seen that in ordinary cases a plaintiff in this court may proceed to final execution for his demand within the period of a few days from the commencement of his action, and at the cost of only a few shillings to his debtor. The practical operation of the institution, and the vast number of persons whom it concerns, will appear from the following estimate, which we have reason to rely upon as tolerably accurate.

Taking one county with another, it is calculated that the average number of Processes issued and served for each Quarter Sessions in each county is about 4800; that of these, three-fourths (3600) are settled by the parties without being brought into court; that the remaining one-fourth (1200) are *entered* in the clerk of the peace's book; that of the cases so entered, about one-half (600) are settled without coming to a hearing; that the remaining 600 are heard and decided upon by the Assistant Barrister; and that of the cases so heard, about two-thirds (400)

are undefended, (that is, there is no appearance on the part of the defendant to contest the demand,) and the remaining 200 are defended.

The expenses incurred by the parties in disposing of this mass of litigation, will appear from the following table of the costs, as they vary, in the several classes of cases above referred to:—

Number of processes served in each of the 32 counties for each quarter-sessions, - 4800

Of these,

	Cases.	L.	s.	d.
Served and settled -	3600 at 9d. each -	130	0	0
Served and entered, but settled without coming to a hearing - -	600 at 1s. 6d. each	45	0	0
Undefended cases heard and decided - -	400 at 6s. 3d. each	125	0	0
Defended do. - -	200 at 7s. 9d. each	77	10	0
Making in each county for each quarter-sessions	4800 at 4	L.377	10	0 4
Annually in each county	19,200 at 32	L.1500	0	0 32
Annually in the 32 counties - -	*614,400 at	L.48,000	0	0

The time occupied by each Quarter Sessions (including the criminal and civil business) varies according to the extent of the county, from ten or twelve days to three weeks. It is

* There being no official returns to which we could refer, our calculation of the number of processes respectively served and entered is necessarily conjectural, but we have reason to believe that it is not exaggerated. Should such returns be at any time called for, they can be supplied with the utmost facility and expedition from the books of the process-servers and clerks of the peace in the several counties. The report refers to a calculation made in the year 1799, which estimated the annual number of processes served in the entire kingdom at only

provided by the statute, that the Assistant Barrister shall not enter upon any criminal business before twelve o'clock, unless another magistrate be present. In the Civil Bill Court he is unrestrained in the choice of his hours, and regularly sits for nine or ten hours a-day—that is, from nine in the morning to six or seven in the afternoon. We have before us an estimate drawn from the proceedings of one of those Courts, of the average quantity of business that can be dispatched in that time; and it appears that if due precautions be used to enforce order, and keep the passages clear for the entrance and exit of the suitors and their witnesses, the book of entries may be ruled to the extent of 200 cases in a single day; of these, 100 are stated in the estimate as settled without coming to a hearing; from 60 to 70 as undefended; and the remainder as keenly litigated. We understand, however, that this calculation would be rather too high for the counties generally, and that the disposal of about 150 cases (comprising the settled, undefended, and litigated) may be taken as the average of an ordinary legal day's work in the Civil Bill Court. Complaints have been made that some of the Assistant Barristers, in their impatience to hurry back to Dublin, have been in the habit of sitting to unreasonably late hours. The practice does not appear to have been general, or in the instances complained of, to have been continued. It is proper, however, that its recurrence should be prevented; and accordingly we find it recommended by the Commissioners 'that no new trial, or business, shall be entered on after the 'hour of six o'clock in the afternoon of any day.' We entirely approve of the principle of this recommendation. There should be a positive regulation to provide against the protraction of the sittings to so late an hour as to cause inconvenience to the suitors; but in framing the regulation, care should be taken, that when it comes to be acted on, it shall not operate as a still greater inconvenience than that which it proposes to prevent; and such, we apprehend, would be the result in the present instance, if the suggestion of the Commissioners were to be adopted without any qualification. The fact is, (if our in-

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128,000 (Rep. p. 23.) If our information be correct, the three counties of Cork, Tipperary, and Kerry, would now contribute more than that number.

We may observe, that the above table of costs does not apply to ejectment cases, which are comparatively few, and in which the fees payable are considerably higher. The costs of obtaining a decree in ejectment amount to about L.1, 15s.

formation does not mislead us,) that the suitors themselves are to the full as anxious as the Assistant Barrister, that he should get through the greatest quantity of business in the shortest possible time. They and their witnesses are, for the most part, very poor persons, living in the Sessions-town at (to them) a considerable expense, and uniformly impatient to be dismissed to their homes; and thus it often happens that the Assistant Barrister cannot gratify or accommodate them more than by protracting his sitting for an hour or two beyond the time to which the Commissioners would limit him. We would therefore qualify the proposed regulation, by providing, that no new case should be called on after six o'clock, '*except with the consent of the parties in the cause.*' This would effectually put an end to any existing inconveniences, and, at the same time, leave with the Assistant Barrister a discretionary power of dedicating an extra portion of the day to the cases of such of the suitors as might wish to take advantage of the arrangement.

The Report contains numerous other suggestions for the improvement of the Civil Bill Court. Among them it is recommended, that the pecuniary limit of its jurisdiction in all the cases over which it now has cognizance, should be extended to double the present amount; and further, that it should be invested with a new power of determining claims (to a limited amount) arising under wills and intestacies. In both recommendations we fully concur, and more especially in the latter. The want of a cheap and accessible tribunal, for deciding such claims, is sorely and generally felt by the Irish peasantry.* Upon these, however, and many other of the proposed alterations, we do not consider it necessary to advert in any detail. The propriety of amending the law in conformity with the views of the Commissioners, has been for some time under the consideration of the Irish authorities, and it is understood that the subject is to be speedily submitted to the Legislature. Instead, therefore, of dwelling upon the several recommendations of the Commissioners, we shall probably be more usefully

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* Since writing the above, we have seen the Report of the select Committee on the state of the poor in Ireland, (July 18th, 1830,) in which we find that one of 'the series of measures recommended by 'the Committee to the most serious and early consideration of the 'Government and the Legislature,' is 'a Bill to make a provision 'whereby questions of wills, legacies, and intestacies within certain 'limits may be decided by the Assistant Barrister at Quarter Sessions.' —Report, p. 57.

employed in directing attention to one or two matters to which they have not alluded.

The Civil Bill code contains one glaring provision that has not been even glanced at in the Report. 'The title to land is 'not to be drawn into question,' in any proceeding before the Assistant Barrister.* This exception, considered without any reference to the people for whom the code was designed, is a mere specimen of feudal absurdity, founded on the supposed dignity of real property, and as logical in its way as the noted adjudication of the grammarians in favour of the greater worthiness of the masculine gender. Our business, however, is with its practical operation, and for that a very few words will suffice. The Irish are a nation of landholders, and among them conflicting claims to petty portions of land—to an acre, or a rood—form a constant source of rural litigation. In all cases where the relation of landlord and tenant subsists, and the latter is to be evicted, the Civil Bill ejectment law, as we have seen, supplies a cheap and expeditious remedy; but when a small proprietor, or in other words an Irish peasant, is aggrieved by the encroachment of a neighbour; or, being entitled to possession, is refused it,—in short, wherever a question of title to the property in the soil arises, he is not only left without a suitable tribunal to resort to, but finds himself beset with the most tempting incitements to become a disturber of the public peace. This may be explained by a familiar instance of the order of proceeding in such cases. An Irish peasant becomes entitled, under his marriage settlement, as a part of his wife's portion, to a reversionary interest in one or two acres expectant on the death of his father-in-law. The father-in-law dies leaving a son, who enters into possession of the entire of the paternal holding. The brother-in-law now claims his vested share. It is refused—weeks and months of altercation ensue, and at length the claimant brings his action in the Civil Bill Court, in the form, perhaps, of a demand of the rent of the premises thus wrongfully withheld. The Assistant Barrister hears the case, and finding that the title to the land is drawn into question, and that he has consequently no jurisdiction, dismisses the process. The plaintiff asks if he is altogether without remedy. The Assistant Barrister tells him, that it is open to him to bring his ejectment in the superior courts. This he is obviously unable to do, but there is something else which he is both able and willing to do. He collects a party of able-bodied

* 36 Geo. III. c. 25, l. 7.

friends, arms himself and them with miscellaneous weapons, and proceeds at their head, as riotously as may be, to the disputed premises, knocks down the wrong-doer if he comes within their reach, takes forcible possession of the land, and having thus asserted his rights, is duly prosecuted, convicted, and sent to the tread-mill at the ensuing Quarter Sessions; and all this, because the culprit's civil claim was, in legal contemplation, 'of 'too high a nature' to be brought before a court of summary jurisdiction. We have not been presenting a fanciful or exaggerated picture. Every one at all acquainted with the homely concerns of the Irish poor will join us in asserting, that the want of a commodious tribunal for deciding the ever-recurring questions of title to land, is one of the great standing causes of local crime—of the riots, rescues, forcible entries, and aggravated assaults, which prevail almost like national customs in every county of Ireland. It is the law, as it now exists, that thus converts suitors into offenders; and the law should be amended, by permitting the action of ejectment on the title to be brought in the Assistant Barrister's Court. There, of course, should be a prescribed limit to the jurisdiction in this, as in other cases; and that limit should depend not upon the number of acres in dispute, but upon the annual value of the claimant's interest in the premises, supposing his title to be established. We would propose as a convenient maximum the annual value of L.10, to be ascertained by evidence, that a solvent and responsible tenant could not afford to pay a greater additional rent, over and above all rent to which the claimant would be liable. We shall merely add, that these two questions of title and value, would not be new, or difficult to the Assistant Barrister. The same questions are now brought before him for decision in every case of a claim to the elective franchise; and every principle of expediency, and of mercy, requires that similar powers of adjudication should be extended to him for the purpose of determining claims which cannot now be brought before any other available tribunal, and of thus extinguishing at once a most fertile source of local outrage.

Among the amendments of the Civil Bill Laws suggested in the Report, we find no reference made to the constant failures of justice to which the suitor is exposed in the first stage of the proceedings (the service of the process), arising from the legal obligation of the Assistant Barrister to give a rigid literal construction to the statutes under which his authority is derived. The principle of this rule of construction, which pervades the entire code, is thus clearly developed by a very learned and able compiler and expositor of the local law of Ireland. 'These inferior tribunals are the creatures of statute, and

'therefore are limited, and merely statutable jurisdictions. 'One great principle of law must pervade the construction of 'all those enactments, which purport to invest them with these 'new powers, namely, that they must be held to strictness, and 'the letter of the act of Parliament, in every clause which pur-'ports to give power and authority. For, although these are 'not penal but remedial statutes, and therefore entitled to a 'liberal construction on the clauses creating these tribunals, so 'far as the enactments propose to suppress the mischief and 'advance the remedy, yet, in one particular, this rule by no 'means holds, but the contrary of it does, namely, that in every 'thing purporting to give, or declare, or show jurisdiction, 'these tribunals, like all others which are limited and statuta-'ble, must be construed *strictly*, and by the letter of the act, 'and only exercise their new powers, where all prescribed pre-'vious regulations and conditions precedent have been fully 'and accurately fulfilled, namely, that when so and so and so is 'done, then this sole judge may exercise his new powers, and 'not otherwise. There is no latitude, or liberality of construc-'tion—no inference, or argument, or equity, or presumption, to 'be used, as means of conferring jurisdictions on new tribunals 'unknown to the common law.'

Every plaintiff approaching the Civil Bill Court, has to encounter this inexorable rule at the threshold. To entitle himself to be heard—to give the Assistant Barrister authority to hear him —he must prove that a true copy of the process has been served on the defendant. If the process vary in the most minute particular from the statutory form, or if the copy served be not a literal transcript of the original (or plaintiff's) copy, or if the service proved be not in strict conformity with the directions of the statute, the defendant may appear in order to make the objection, and, on his doing so, puts the plaintiff out of court. The frequency of the defeats of justice by reason of these trivial variances, gives them importance. A late act of Parliament empowers the judges of the Superior Courts to amend the record at the trial, in cases of immaterial variances between it and the written or printed evidence produced. And we would propose that an analogous power should be given to the Assistant Barrister in all cases of like variances between the process and the Parliamentary form, or between the original and the copy; while with respect to the service of the process, it would probably be desirable to have it established as a general rule, that the appear-

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* Finlay's *Law of Landlord and Tenant in Ireland,* (.

ance of the defendant in court, either personally or by attorney, should be taken to be a waiver of all objections to the mode of service.

We have thus endeavoured to give a summary view of the extent and importance appertaining to the office of Assistant Barrister in Ireland, and are fully disposed to concur in the testimony of the Report before us, to the satisfactory manner in which the duties of it have hitherto been discharged; nor does there seem to be any ground to apprehend, that, so far as concerns the conduct and character of the persons that shall hereafter be selected to fill it, the institution will degenerate. One of the Marquis of Wellesley's quiet measures of reform in detail, for which he got little public credit at the time, was to take the appointment to those offices out of the hands of the county members, upon whose recommendation they had been in use to be filled —and this branch of the Viceregal patronage has been since administered by the government, under the influence of a full conviction that its own character is involved in the propriety of the selections. Upon the whole, founding our opinion upon the evidence supplied by the present Report, as well as upon what we understood to be the concurring sentiment of the Irish community, we consider ourselves to be justified in asserting, that this institution has been proved by experience to be well adapted to the wants of Ireland; and that in its practical working it has had the good fortune to attain no small degree of popular confidence and respect. We cannot, however, pronounce it to be perfect—on the contrary, in the most important branch of the Assistant Barrister's functions, that which relates to the administration of criminal justice, we perceive defects, and defects for which the remedy is obvious and attainable.

The first to which we shall refer, is the embarrassing position in which the Assistant Barrister is placed, as the mere honorary chairman of the Court of Quarter Sessions. The Commissioners of Enquiry (in whose views upon this subject we cannot concur) have thus expressed themselves upon it in their Report:—'The 'statute, in establishing the office of assistant barrister, constituted 'him a magistrate of the county to which he should be appointed, '*virtute officii*, but left it optional in the magistrates to appoint 'him chairman of the court or not. It is among the proofs of the 'general satisfaction which the institution has afforded, that few 'instances have occurred in which the assistant barrister has not 'been chosen chairman by the justices at their court of sessions. 'In a subordinate situation his assistance would unquestionably 'be less efficient; but however desirable it is that he should always 'preside in the court, we do not venture to recommend that he

'shall be established there as of right, feeling, as we do, that the 'free election to it by the magistrates, which has almost invariably 'been adopted, is more likely to promote that cordial co-operation 'on the bench so necessary to the effectual discharge of its duties.' (*Report* p. 3.) And again, 'It has been suggested by most 'of the assistant barristers, and by several of the governors of 'counties, that the unascertained claim to the chair at Quarter 'Sessions is unsatisfactory, and if the assistant barrister should 'be excluded, might prove prejudicial to public business. From 'the reasons we have already given, we abstain from recom-'mending any positive regulation for that effect, but concur in 'the opinion that the assistant barrister ought to be either the 'recognised or elected chairman of the court; that if to be 'elected, such election should be for the year at least, and that 'in all instances in which the bench shall be equally divided 'on any question, the assistant barrister shall be allowed a 'casting vote, as well as a vote as one of the justices at sessions.' P. 13.

These suggestions are more cautious than satisfactory. We must endeavour to be more explicit. The question, as a matter of public concern, is simply this—Taking into consideration the number and importance of the criminal cases now tried at every Court of Quarter Sessions in Ireland, and comparing the respective education, intellectual habits, and general judicial qualifications, of the Magistrates of the county, and of the Assistant Barristers, is he, or one of them, the fittest to discharge the duty of presiding judge? Upon this point, neither the commissioners nor the public, nor the magistrates themselves, entertain a doubt. The Assistant Barrister is confessedly not only the fittest, but the only one that is fit for the purpose. A senior magistrate of an Irish county officiating as the chairman of the Court of Quarter Sessions, might easily satisfy the public and himself upon the trial of a common assault. In Ireland, it is a sufficiently simple matter for a man to prove that he has been knocked down without legal cause, and in such a case an uninitiated chairman might deliver an unexceptionable charge to the jury, and lecture the culprit in terms that would leave nothing to desire; but it would be far otherwise when he came to superintend the investigation of the long and complicated cases that form the staple business of the court;—cases, for example, of party riots—of rescue of cattle distrained—of forcible entry upon land—in all of which it is indispensable that the person before whom they are tried, should be familiar with, at least, the leading rules of evidence; and in many of which the guilt or innocence of the parties on trial will be found to turn

upon some minute, and, to the ordinary magistrate, unknown, principle of the law of real property. The Irish magistrates are aware of all this, and have shown no disposition to assume to themselves the responsibility of a task, which they admit cannot be efficiently performed except by a person educated and exercised as a professional lawyer; but while they concede the claim of the Assistant Barrister, grounded on his superior competency, to preside in their court, they reserve to themselves the power of disputing his right. He is to be the chairman, because it is essential to the proper transaction of the public business that he should be so; but he must always remember that he holds that distinction by sufferance—he must reflect upon the instability of his tenure, and be wary. Now it is indisputably a most desirable object, that the Assistant Barrister, like other public officers, should be subject to checks, and to checks of which the operation is neither uncertain nor remote; but we altogether deprecate the particular check, which, as matters now stand, is permitted to exist; and for this obvious reason, that it is utterly impossible that this latent power of the magistrates can ever be actually exercised without the most mischievous and unseemly results; while it appears equally obvious that the recognised existence of such a power, can only tend to cramp and dishearten the Assistant Barrister in his endeavours to be, what he knows he ought to be, a firm and uninfluenced minister of justice. We cannot better illustrate our views upon this subject, than by presenting a short comparative outline of the proceedings on a trial before a judge of Assize, and at a Court of Quarter Sessions. At the Assizes, a prisoner is called upon to stand his trial before a judge who has had no previous knowledge of his name, or of his alleged demerits; who sits alone, where nothing can reach him but public and legal evidence, and to whom, individually, it is a matter of entire indifference, whether the result of the proceeding be a condemnation or acquittal. There are no local considerations, no personal anxieties, to divert his mind from the obvious dictates of his duty, as resulting from the evidence produced before him. That evidence is public, and for whatever view he may take of it in his charge to the jury, for whatever sentence he may pronounce in the event of a conviction, he can feel that he is responsible to the public, and to the public alone. The Court of Quarter Sessions presents a judicial arrangement of a very different kind. There, the magistrates of the county are the judges of the court, and they are furthermore the ministerial officers of the county, before whom preliminary investigations of the cases to be tried before them have been had; and who, as such, must inevitably come upon the bench with strong

pre-impressions upon their minds—as such also they must often come there with strong wishes. In their ministerial capacity, they have already, to a certain extent, pronounced an opinion upon the case. The guilt of the party charged before them may have been extremely doubtful, and have been so considered by the public; but in receiving the information, they have taken upon themselves the responsibility of deciding that he must pass through the ordeal of a criminal prosecution, and they cannot but feel that his acquittal may be their condemnation. There are still other, and equally operative considerations, at variance with that calm judicial indifference to the result, which the solemn functions of a judge demand. Irish magistrates are not exempt from the ordinary attributes of human beings; as friends, as landlords, as politicians, they are swayed, like other men, by the influence of these relations. They are, in a word, Irish country gentlemen, living in the midst of local and personal excitements, and unconsciously impelled by temperament and habit, to take a warm individual interest in every question that concerns their party or their friend.

With a Bench thus constituted, let us imagine a particular case to come on for trial—that, for instance, of a favourite tenant, or a rebellious tenant of one of the magistrates present; or one of those cases, in which Protestant and Catholic are pitted as such against each other, and the result of which, whatever it may be, will be hailed on the one side or the other, according to the fortune of the day, as a party triumph. In the one case, will the landlord, merging every private feeling, sit spell-bound on the judgment-seat, under a solemn feeling that evenhanded justice must be left to take its course? In the other, will the political magistrate, for once in a state of suspended partisanship, make no efforts to contribute to a result which he most devoutly desires? We need not go so far as Ireland to be assured, that such high-wrought forbearance is not to be expected; but that, on the contrary, upon such occasions as we have supposed, the personal predilections of the judges will, to a certainty, break out in some shape or other, with a view of influencing the verdict of the jury; or, in the event of a conviction, the sentence of the Court. The practical corrective of this should be the authoritative interference of such an officer as the Assistant Barrister; but his authority as chairman is merely permissive, while his controlling power, if disputed, at once dwindles to the value of a single vote. The commissioners, however, while they admit that the Assistant Barrister ought always to preside in the Court, consider that the precariousness of his tenure is more likely to promote a cordial co-operation on the bench, than if he

presided as a matter of right. Co-operation, and an apparently cordial co-operation, may (we do not deny) be thus promoted; but we are utterly unable to see in what way a co-operation, thus effected, can conduce to the ends of justice. Let us just suppose a conflict of opinion, in any given case, to occur between the Magistrates and the Assistant Barrister. They, we will say, are for passing a heavy sentence—he considers that a lighter one will answer every purpose—before the parties can concur, there must be some yielding on one side or the other. Will the magistrates be more likely to defer to the Assistant Barrister, because they have the power of deposing him? Will the Assistant Barrister, for the same reason, be more firm in asserting his own views, which, we may safely take it for granted, will be found to be the sounder and juster views? The answer is perfectly obvious. The yielding, so far as the cause in question can have force, will all be on the part of the Assistant Barrister. He cannot but feel that, in one point essentially touching his personal estimation, he is entirely at the mercy of the other magistrates—he also sees that the most certain way of winning their approbation is to approximate his opinions as nearly as possible to theirs—and the inevitable result is, that in order to avoid collisions, of which he himself may be the victim, he must be habitually disposed to make a certain sacrifice of his own notions of what is right, to considerations that should never be permitted to encumber an officer of justice. The result, then, of our considerations upon this subject is, that, while we concur with the commissioners in the opinion, that the Assistant Barrister should always preside in the Court of Quarter Sessions, we are far from thinking with them, that this distinction should depend upon a quarterly or annual act of courtesy. If it be right that he should always be the chairman, the law should make him the chairman, as a matter of right;—if it be right that his unbiassed opinions should be duly enforced, he should be rescued from an anomalous position, which can only tend to detract from his firmness and integrity.

According to the existing system, an Assistant Barrister is permanently allocated to a particular county. The Report has suggested no change in this respect; but we cannot help thinking, that it would be an important improvement, if each of those officers were made to visit every separate county in regular succession. The effect of such an arrangement would be, to preserve the Assistant Barrister himself from any local influences, or personal anxieties, in the discharge of his duties. The effect upon those classes of the community with whom his judicial functions bring him into contact, would be equally beneficial. In the present

state of popular feeling in Ireland, it is of the utmost moment, not only that justice should be impartially administered, but that the lower orders should be satisfied that it is so administered. This is a matter, however, upon which they are peculiarly prone to suspicion; more particularly when they come before the local tribunals. It is not necessary for our present purpose, to enquire into the origin of their misgivings upon this subject, or even to assume that such impressions are any longer justifiable; on the contrary, so far as the Assistant Barristers are concerned, we have no reason to question the testimony borne to them by the Report before us. Still, according to the subsisting arrangement, each of those officers, visiting his county four times in the year, is necessarily brought into intimate and conspicuous familiarity with the gentry of the county—with that class whom the Irish peasantry, from inveterate habits of distrust, regard as their natural enemies; and let the Assistant Barrister deserve their confidence as he may, we are perfectly assured that a more implicit trust would be placed in the adjudications of a stranger entirely unconnected with the scene of his duties.

Of late years the government of Ireland has, to a certain extent, acted upon our view of the propriety of removing from the public mind every pretext for the feeling to which we are referring. A rule was established by Lord Wellesley, and still exists, that no person should be nominated as the Assistant Barrister for any county on his own circuit, except upon the terms of his ceasing to practise in such county. It was considered to be at variance with the decencies of public life, that the same individual should be seen in the same county, four times a-year as a judicial officer, and twice a-year as a candidate for briefs. But however creditable the motive of this rule, its object has been very imperfectly attained. There was no understanding between the government and the Assistant Barrister, neither is there now, that the latter should not take professional business from the attorneys that practise in his court. Such business is accordingly taken with as little scruple as from any other quarter. For this, though we condemn the practice, we cannot reasonably blame the Assistant Barristers. To many of them, the emoluments of the office are far from being a matter of clear gain; on the contrary, the most competent among them have found the effect of their frequent absence from the courts in Dublin, to be a great and permanent diminution of their general business. In some instances, the losses thus sustained considerably exceed the amount of their official profits; and, accordingly, we can easily understand that individuals, thus circumstanced, should not feel themselves called upon to reject with a

fastidious delicacy any accidental means of compensation that may be offered. The practice, however, is in itself unseemly; we are quite certain, that no Assistant Barrister betrays any leaning to the particular attorneys of his court, who may be in the habit of retaining him professionally; but we are not equally certain, that the suitors of the court concur in our opinion—or that the attorneys themselves are very anxious that they should. It is sufficient, however, for us to have shown, that a pretext for misconstruction exists, and we urge the propriety of removing it as another argument for dissevering the Assistant Barrister from a permanent connexion with any particular county.

The proposed alteration, independently of its other advantages, would have the farther effect of relieving the government from a particular source of embarrassment, to which they are not unfrequently exposed in the selection of persons for the office under consideration. We allude to the necessity under which they now find themselves, of virtually giving the magistrates of the vacant county a voice, or rather a vote, in the intended nomination. It is not enough, upon such occasions, that the claims of a particular candidate for the office meet a preference from the government. The government has farther to consider, whether the object of its choice will be palatable to the magistrates, or, in other words, whether his political opinions, or his creed, may not be such as to expose him to an ungracious reception in the county, and to all the consequences incidental to his dependent situation. The understood feelings of the magistrates on these points are therefore to be consulted; and from this two inconveniences follow—first, That the government may not deem it expedient to nominate the person whom, if left to themselves, they would have selected; and secondly, That, as a general rule, the counties in which the political and religious prejudices of the gentry are most active, are supplied with Assistant Barristers, agreeing in the main with the prevailing notions upon those matters, and, consequently, the least likely to counteract any sinister influence of such opinions upon the administration of justice. The remedy for both these inconveniences would be the rotatory system. By converting the Assistant Barrister from a local functionary into a general disposable officer of the crown, it would leave the government unshackled in the exercise of its authority to make its own selection, and would at once destroy every pretence for interference in any other quarter.

The great and increasing importance of this office, and the proofs that have been afforded of its beneficial results, have from time to time suggested to the government the expediency of

making large additions to its jurisdiction in civil matters, and, as a consequence, of remodelling the nature of the office itself. In contemplation of such a change, which we apprehend will sooner or later be effected, various schemes have been proposed, with the view of most effectually providing for the due execution of the additional duties to be imposed. We cannot enter into a discussion of the minor details of the several plans that have been recommended. We refer to the subject, merely for the purpose of offering our opinion upon one alteration that has been proposed as an improvement; namely, that if the duties and emoluments of the office are increased, the barristers holding it should not be allowed to practise in the courts. This, we must say, we should regard as an unnecessary and a very impolitic stipulation. The only plausible reasons that we have heard adduced for its adoption, have been, first, that by depriving the Assistant Barrister of all private inducements to hasten back to Dublin, it would secure to the public the due portion of time required for the proper transaction of the business of the Quarter Sessions; and, secondly, that it would raise the dignity of the office in the estimation of the public, by making the occupant an exclusively judicial officer; and thus destroying every pretext for a suspicion that his conduct on the bench could possibly be influenced by his interest as a practising barrister. As to the first, we have already observed, that the rapidity with which the business of the Sessions is now dispatched, is by no means felt as a grievance by the parties most nearly concerned, and we have suggested a regulation to prevent its becoming such in any case. Should it, however, be deemed advisable, with a view to the more deliberate transaction of the Sessions business generally, that more time should be dedicated to the purpose, a very simple and practicable plan presents itself. The Quarter Sessions are held at the stated periods in two towns within every county; that is, in some one town within each of the two divisions of the county; and the average time now occupied by the business of each division can be ascertained at once, by a reference to the Assistant Barrister, or the clerk of the peace. Taking, then, any given county, and the number of days at present allowed to each of its divisional towns, let one, or two, or more days, as the case may appear to require, be added by a positive regulation; and let it be made a part of the regulation, that the Assistant Barrister shall not depart from the divisional town (even though all the business may be concluded) before the expiration of the allotted number of days;—such a provision, accompanied by a restriction against any case being entered on, before or after stated hours of the day, except with

the consent of the parties interested, would afford as ample security as the public can reasonably require, against any tendency on the part of the Assistant Barrister to hurry through the business. With regard to the other ground for withdrawing the Assistant Barrister from his profession, we have already intimated our opinion. The dignity of the office, we admit, is to a certain extent impaired, not by the fact of the Assistant Barrister being known to practise in the courts, but by his habitually taking professional business from the attorneys of his own court; and this ground of objection would be fully removed by the plan we have proposed, for detaching those officers from their present permanent connexion with particular counties. There is, however, another point of view in which the dignity of the office is to be considered; and in reference to which, we greatly fear that it would sink in public respect, if the persons holding it were finally to retire from professional practice. Our apprehension is, that from the hour of their retirement they would daily become less and less efficient judges; and that the public would not fail to make the discovery. The objects of legal research—the occupations that quicken the faculties for the transaction of legal business—are among the least attractive exercises of the human mind; and it may be safely asserted, that nothing will keep the mind habitually exercised upon them, but the pressing stimulus of a present necessity. A retired anatomist may cling with fondness to the enquiries of his past life; a superannuated astronomer will often think of the stars; but there is no such thing in nature as a Platonic affection for the Term Reports—no such variety of the human species, as a middle-aged or elderly lawyer soothing his hours of legal ease with endearing recollections of Vesey junior. Take a barrister from the superior courts, and place him on a provincial bench—detach him from a scene, in which every motive of gain, of ambition, of personal responsibility, are incessantly exciting him to keep himself in a state of intellectual fitness for the details of legal business; and transplant him to one upon which the two first of these motives cease to operate, and where his character as a lawyer has little to apprehend from the criticisms of a rural auditory—do this, and the probable result will be, that the process of professional deterioration will immediately begin; that, relying upon his stores of present knowledge, he will take little pains to continue or increase it; that much of that knowledge will rapidly and imperceptibly fade away; that new tastes will spring up, or former tastes revive, and be indulged in the intervals of his judicial duties; that those duties, instead of being promptly and pleasurably dispatched, will gra-

dually be considered as irksome and inglorious, and be performed with a corresponding languor: in a word, that his powers as a lawyer, and his weight with the public, will decline together. He may still (we do not deny it) continue amply competent to the duties of his subordinate situation, and, if he be patient and courteous, he will be looked up to with confidence and regard; but what we contend for is, that being secluded from a daily collision with equal and superior minds, and deprived of his accustomed incentives to unremitting exertion, he will no longer be distinguished by the same professional resources, or enforce the same degree of public deference, as if he still were a practising barrister,—making his periodical appearances on the county bench merely as an occasional and collateral incident in his legal career, but still living in the courts,—stimulated by competition to give his faculties their daily exercise, and destined, for aught he or the public may know, to reach, at some future day, the higher honours of his profession.

ART. XII.—*A Refutation of an Article in the Edinburgh Review* (No. CII.) *entitled, 'Sadler's Law of Population, and Disproof of Human Superfecundity;' containing also Additional Proofs of the Principle enunciated in that Treatise, founded on the Censuses of different Countries recently published.* By MICHAEL THOMAS SADLER, M.P. 8vo. London: 1830.

'Before any thing came out against my Essay, I was told I must 'prepare myself for a storm coming against it, it being resolved by 'some men that it was necessary that book of mine should, as it 'is phrased, be run down.' JOHN LOCKE.

WE have, in violation of our usual practice, transcribed Mr Sadler's title-page from top to bottom, motto and all. The parallel implied between the Essay on the Human Understanding and the Essay on Superfecundity is exquisitely laughable. We can match it, however, with mottoes as ludicrous. We remember to have heard of a dramatic piece, entitled 'News 'from Camperdown,' written soon after Lord Duncan's victory, by a man once as much in his own good graces as Mr Sadler is, and now as much forgotten as Mr Sadler will soon be, Robert Heron. His piece was brought upon the stage, and damned, 'as it is phrased,' in the second act; but the author, thinking that it had been unfairly and unjustly 'run down,' published it, in order to put his critics to shame, with this motto from Swift: 'When a true genius appears in the world, you may know 'him by this mark—that the dunces are all in confederacy

'against him.' We remember another anecdote, which may perhaps be acceptable to so zealous a churchman as Mr Sadler. A certain Antinomian preacher, the oracle of a barn, in a county of which we do not think it proper to mention the name, finding that divinity was not by itself a sufficiently lucrative profession, resolved to combine with it that of dog-stealing. He was, by ill-fortune, detected in several offences of this description, and was in consequence brought before two justices, who, in virtue of the powers given them by an act of parliament, sentenced him to a whipping for each theft. The degrading punishment inflicted on the pastor, naturally thinned the flock; and the poor man was in danger of wanting bread. He accordingly put forth a handbill, solemnly protesting his innocence, describing his sufferings, and appealing to the Christian charity of the public; and to his pathetic address he prefixed this most appropriate text: 'Thrice was I beaten with rods.—*St Paul's 'Epistle to the Corinthians.*' He did not perceive, that though St Paul had been scourged, no number of whippings, however severe, will of themselves entitle a man to be considered as an apostle. Mr Sadler seems to us to have fallen into a somewhat similar error. He should remember, that though Locke may have been laughed at, so has Sir Claudius Hunter; and that it takes something more than the laughter of all the world to make a Locke.

The body of this pamphlet by no means justifies the parallel so modestly insinuated on the title-page. Yet we must own, that though Mr Sadler has not risen to the level of Locke, he has done what was almost as difficult, if not as honourable—he has fallen below his own. He is at best a bad writer. His arrangement is an elaborate confusion. His style has been constructed with great care, in such a manner as to produce the least possible effect, by means of the greatest possible number of words. Aspiring to the exalted character of a Christian philosopher, he can never preserve through a single paragraph, either the calmness of a philosopher, or the meekness of a Christian. His ill-nature would make a very little wit formidable. But, happily, his efforts to wound resemble those of a juggler's snake. The bags of poison are full, but the fang is wanting. In this foolish pamphlet, all the unpleasant peculiarities of his style and temper are brought out in the strongest manner. He is from the beginning to the end in a paroxysm of rage; and would certainly do us some mischief if he knew how. We will give a single instance for the present. Others will present themselves as we proceed. We laughed at some

doggerel verses which he cited, and which we, never having seen them before, suspected to be his own. We are now sure, that if the principle on which Solomon decided a famous case of filiation were correct, there can be no doubt as to the justice of our suspicion. Mr Sadler, who, whatever elements of the poetical character he may lack, possesses the poetical irritability in an abundance which might have sufficed for Homer himself, resolved to retaliate on the person, who, as he supposed, had reviewed him. He has, accordingly, ransacked some collection of college verses, in the hope of finding, among the performances of his supposed antagonist, something as bad as his own. And we must in fairness admit that he has succeeded pretty well. We must admit that the gentleman in question sometimes put into his exercises at seventeen, almost as great nonsense as Mr Sadler is in the habit of putting into his books at sixty.

Mr Sadler complains that we have devoted whole pages to mere abuse of him. We deny the charge. We have, indeed, characterised, in terms of just reprehension, that spirit which shows itself in every part of his prolix work. Those terms of reprehension we are by no means inclined to retract; and we conceive that we might have used much stronger expressions, without the least offence either to truth or to decorum. There is a limit prescribed to us by our sense of what is due to ourselves. But we think that no indulgence is due to Mr Sadler. A writer who distinctly announces that he has not conformed to the candour of the age—who makes it his boast that he expresses himself throughout with the greatest plainness and freedom—and whose constant practice proves, that by plainness and freedom, he means coarseness and rancour, has no right to expect that others shall remember courtesies which he has forgotten, or shall respect one who has ceased to respect himself.

Mr Sadler declares that he has never vilified Mr Malthus personally, and has confined himself to attacking the doctrines which that gentleman maintains. We should wish to leave that point to the decision of all who have read Mr Sadler's book, or any twenty pages of it. To quote particular instances of a temper which penetrates and inspires the whole work, is to weaken our charge. Yet, that we may not be suspected of flinching, we will give two specimens,—the two first which occur to our recollection. 'Whose minister is it that speaks thus?' says Mr Sadler, after misrepresenting in a most extraordinary manner, though, we are willing to believe, unintentionally, one of the positions of Mr Malthus. 'Whose minister is it that speaks 'thus? That of the lover and avenger of little children?' Again, Mr Malthus recommends, erroneously perhaps, but assuredly

from humane motives, that alms, when given, should be given very sparingly. Mr Sadler quotes the recommendation, and adds the following courteous comment:—'The tender mercies 'of the wicked are cruel.' We cannot think that a writer who indulges in these indecent and unjust attacks on professional and personal character, has any right to complain of our sarcasms on his metaphors and rhymes.

We will now proceed to examine the reply which Mr Sadler has thought fit to make to our arguments. He begins by attacking our remarks on the origin of evil. They are, says he, too profound for common apprehension, and he hopes that they are too profound for our own. That they seem profound to him, we can well believe. Profundity, in its secondary, as in its primary sense, is a relative term. When Grildrig was nearly drowned in the Brobdignagian cream-jug, he doubtless thought it very deep. But to common apprehension our reasoning would, we are persuaded, appear perfectly simple.

The theory of Mr Malthus, says Mr Sadler, cannot be true, because it asserts the existence of a great and terrible evil, and is therefore inconsistent with the goodness of God. We answer thus. We know that there are in the world great and terrible evils. In spite of these evils, we believe in the goodness of God. Why may we not then continue to believe in his goodness, though another evil should be added to the list?

How does Mr Sadler answer this? Merely by telling us that we are too wicked to be reasoned with. He completely shrinks from the question; a question, be it remembered, not raised by us—a question which we should have felt strong objections to raising unnecessarily—a question put forward by himself, as intimately connected with the subject of his two ponderous volumes. He attempts to carp at detached parts of our reasoning on the subject. With what success he carries on this Guerilla war, after declining a general action with the main body of our argument, our readers shall see.

'The reviewer sends me to Paley, who is, I confess, rather more intelligible on the subject, and who, fortunately, has decided the very point in dispute. I will first give the words of the reviewer, who, when speaking of my general argument regarding the magnitude of the evils, moral and physical, implied in the theory I oppose, sums up his ideas thus:—" Mr Sadler says, that it is not a light or transient evil, but a great and permanent evil. What then? The question of the origin of evil is a question of ay or no,—*not a question of* MORE *or* LESS." But what says Paley? His express rule is this, that " when we cannot resolve all appearances into benevolence of design, *we make the* FEW *give place to the* MANY, *the* LITTLE *to the* GREAT; *that*

we take our judgment from a large and decided preponderancy." Now, in weighing these two authorities, directly at issue on this point, I think there will be little trouble in determining which we shall make "to give place;" or, if we "look to a large and decided preponderancy" of either talent, learning, or benevolence, from whom we shall "take our judgment." The effrontery, or, to speak more charitably, the ignorance of a reference to Paley on this subject, and in this instance, is really marvellous.'

Now, does not Mr Sadler see that the very words which he quotes from Paley contain in themselves a refutation of his whole argument? Paley says, indeed, as every man in his senses would say, that in a certain case, which he has specified, the more and the less come into question. But in what case? 'When we *cannot* resolve all appearances into the benevolence 'of design.' It is better that there should be a little evil than a great deal of evil. This is self-evident. But it is also self-evident, that no evil is better than a little evil. Why, then, is there any evil? It is a mystery which we cannot solve. It is a mystery which Paley, by the very words which Mr Sadler has quoted, acknowledges himself unable to solve; and it is because he cannot solve that mystery that he proceeds to take into consideration the more and the less. Believing in the divine goodness, we must necessarily believe that the evils which exist are necessary to avert greater evils. But what those greater evils are we do not know. How the happiness of any part of the sentient creation would be in any respect diminished, if, for example, children cut their teeth without pain, we cannot understand. The case is exactly the same with the principle of Mr Malthus. If superfecundity exists, it exists, no doubt, because it is a less evil than some other evil which otherwise would exist. Can Mr Sadler prove that this is an impossibility?

One single expression which Mr Sadler employs on this subject is sufficient to show how utterly incompetent he is to discuss it. 'On the Christian hypothesis,' says he, 'no doubt 'exists as to the origin of evil.' He does not, we think, understand what is meant by the origin of evil. The Christian Scriptures profess to give no solution of that mystery. They relate facts; but they leave the metaphysical question undetermined. They tell us that man fell; but why he was not so constituted as to be incapable of falling, or why the Supreme Being has not mitigated the consequences of the fall more than they actually have been mitigated, the Scriptures did not tell us, and, it may without presumption be said, could not tell us, unless we had been creatures different from what we are. There

is something, either in the nature of our faculties, or in the nature of the machinery employed by us for the purpose of reasoning, which condemns us, on this and similar subjects, to hopeless ignorance. Man can understand these high matters only by ceasing to be man, just as a fly can understand a lemma of Newton only by ceasing to be a fly. To make it an objection to the Christian system, that it gives us no solution of these difficulties, is to make it an objection to the Christian system, that it is a system formed for human beings. Of the puzzles of the Academy, there is not one which does not apply as strongly to Deism as to Christianity, and to Atheism as to Deism. There are difficulties in every thing. Yet we are sure that something must be true.

If revelation speaks on the subject of the origin of evil, it speaks only to discourage dogmatism and temerity. In the most ancient, the most beautiful, and the most profound of all works on the subject, the Book of Job, both the sufferer who complains of the divine government, and the injudicious advisers who attempt to defend it on wrong principles, are silenced by the voice of supreme wisdom, and reminded that the question is beyond the reach of the human intellect. St Paul silences the supposed objector, who strives to force him into controversy, in the same manner. The church has been, ever since the apostolic times, agitated by this question, and by a question which is inseparable from it, the question of fate and free-will. The greatest theologians and philosophers have acknowledged that these things were too high for them, and have contented themselves with hinting at what seemed to be the most probable solution. What says Johnson? 'All our effort ends in belief, 'that for the evils of life there is some good reason, and in con-'fession that the reason cannot be found.' What says Paley? 'Of the origin of evil no universal solution has been discovered. 'I mean no solution which reaches to all cases of complaint.— 'The consideration of general laws, although it may concern 'the question of the origin of evil very nearly, which I think it 'does, rests in views disproportionate to our faculties, and in a 'knowledge which we do not possess. It serves rather to account 'for the obscurity of the subject, than to supply us with distinct 'answers to our difficulties.' What says presumptuous ignorance? 'No doubt whatever exists as to the origin of evil.' It is remarkable that Mr Sadler does not tell us what his solution is. The world, we suspect, will lose little by his silence.

He falls on the reviewer again.

'Though I have shown,' says he, 'and on authorities from which none can lightly differ, not only the cruelty and immorality which this

system necessarily involves, but its most revolting feature, its gross partiality, he has wholly suppressed this, the most important part of my argument; as even the bare notice of it would have instantly exposed the sophistry to which he has had recourse. If, however, he would fairly meet the whole question, let him show me that "hydrophobia," which he gives as an example of the laws of God and nature, is a calamity to which the poor alone are liable; or that "malaria," which, with singular infelicity, he has chosen as an illustration of the fancied evils of population, is a respecter of persons.'

We said nothing about this argument, as Mr Sadler calls it, merely because we did not think it worth while; and we are half ashamed to say any thing about it now. But since Mr Sadler is so urgent for an answer, he shall have one. If there is evil, it must be either partial or universal. Which is the better of the two? Hydrophobia, says this great philosopher, is no argument against the divine goodness, because mad dogs bite rich and poor alike; but if the rich were exempted, and only nine people suffered for ten who suffer now, hydrophobia would forthwith, simply because it would produce less evil than at present, become an argument against the divine goodness! To state such a proposition, is to refute it. And is not the malaria a respecter of persons? It infests Rome. Does it infest London? There are complaints peculiar to the tropical countries. There are others which are found only in mountainous districts; others which are confined to marshy regions, others again which run in particular families. Is not this partiality? Why is it more inconsistent with the divine goodness that poor men should suffer an evil from which rich men are exempt, than that a particular portion of the community should inherit gout, scrofula, insanity, and other maladies? And are there no miseries under which, in fact, the poor alone are suffering? Mr Sadler himself acknowledges, in this very paragraph, that there are such; but he tells us that these calamities are the effects of misgovernment, and that this misgovernment is the effect of political economy. Be it so. But does he not see that he is only removing the difficulty one step farther? Why does Providence suffer men whose minds are filled with false and pernicious notions, to have power in the state? For good ends, we doubt not, if the fact be so; but for ends inscrutable to us, who see only a small part of the vast scheme, and who see that small part only for a short period. Does Mr Sadler doubt that the Supreme Being has power as absolute over the revolutions of political, as over the organization of natural bodies? Surely not; and if not, we do not see that he vindicates the ways of Providence by attributing the distresses which the poor, as he confesses, endure, to an error in legislation, rather than to a law of physi-

ology. Turn the question as we may, disguise it as we may, we shall find that it at last resolves itself into the same great enigma,—the origin of physical and moral evil: an enigma which the highest human intellects have given up in despair, but which Mr Sadler thinks himself perfectly able to solve.

He next accuses us of having paused long on verbal criticism. We certainly did object to his improper use of the words, 'inverse variation.' Mr Sadler complains of this with his usual bitterness.

'Now what is the Reviewer's quarrel with me on this occasion? That he does not understand the meaning of my terms? No. He acknowledges the contrary. That I have not fully explained the sense in which I have used them? No. An explanation, he knows, is immediately subjoined, though he has carefully suppressed it. That I have varied the sense in which I have applied them? No. I challenge him to show it. But he nevertheless goes on for many pages together in arguing against what he knows, and, in fact, acknowledges, I did not mean; and then turns round and argues again, though much more feebly, indeed, against what he says I did mean! Now, even had I been in error as to the use of a word, I appeal to the reader whether such an unworthy and disingenuous course would not, if generally pursued, make controversy on all subjects, however important, that into which, in such hands, it always degenerates—a dispute about words.'

The best way to avoid controversies about words, is to use words in their proper senses. Mr Sadler may think our objection captious; but how he can think it disingenuous, we do not well understand. If we had represented him as meaning what we knew that he did not mean, we should have acted in a disgraceful manner. But we did not represent him, and he allows that we did not represent him, as meaning what he did not mean. We blamed him, and with perfect justice and propriety, for saying what he did not mean. Every man has in one sense a right to define his own terms; that is to say, if he chooses to call one two, and two seven, it would be absurd to charge him with false arithmetic for saying that seven is the double of one. But it would be perfectly fair to blame him for changing the established sense of words. The words, 'inverse variation,' in matters not purely scientific, have often been used in the loose way in which Mr Sadler has used them. But we shall be surprised if he can find a single instance of their having been so used in a matter of pure arithmetic.

We will illustrate our meaning thus: Lord Thurlow, in one of his speeches about Indian affairs, said that one Hastings was worth twenty Macartneys. He might, with equal propriety, have said ten Macartneys, or a hundred Macartneys. Nor would there have been the least inconsistency in his using all the three

expressions in one speech. But would this be an excuse for a financier who, in a matter of account, should reason as if ten, twenty, and a hundred were the same number?

Mr Sadler tells us that he purposely avoided the use of the word proportion in stating his principle. He seems, therefore, to allow that the word proportion would have been improper. Yet he did in fact employ it in explaining his principle, accompanied with an awkward explanation intended to signify, that though he said proportion, he meant somethig quite different from proportion. We should not have said so much on this subject, either in our former article, or at present, but that there is in all Mr Sadler's writings an air of scientific pedantry, which renders his errors fair game. We will now let the matter rest; and instead of assailing Mr Sadler with our verbal criticism, proceed to defend ourselves against his literal criticism.

'The Reviewer promised his readers that some curious results should follow from his shuffling. We will enable him to keep his word.

'"In two English counties," says he, "which contain from 50 to 100 inhabitants on the square mile, the births to 100 marriages are, according to Mr Sadler, 420; but in 44 departments of France, in which there are from one to two hecatares [*hectares*] to each inhabitant, that is to say, in which the population is from 125 to 250, or rather more, to the square mile, the number of births to 100 marriages is 423 and a fraction."

'The first curious result is, that our Reviewer is ignorant, not only of the name, but of the extent, of a French hectare; otherwise he is guilty of a practice which, even if transferred to the gambling-table, would, I presume, prevent him from being allowed ever to shuffle, even there, again. He was most ready to pronounce upon a mistake of one per cent in a calculation of mine, the difference in nowise affecting the argument in hand; but here I must inform him, that his error, whether wilfully or ignorantly put forth, involves his entire argument.

'The French hectare I had calculated to contain $107708\frac{61}{100}$ English square feet, or $2\frac{4726}{100000}$ acres; Dr Kelly takes it, on authority which he gives, at $107644\frac{143923}{1000000}$ English square feet, or $2\frac{471169}{1000000}$ acres. The last French *Annuaires*, however, state it, I perceive, as being equal to $2\frac{473614}{1000000}$ acres. The difference is very trifling, and will not in the slightest degree cover our critic's error. The first calculation gives about $258\frac{83}{100}$ hectares to an English square mile; the second, $258\frac{73}{100}$; the last, or French calculation, $258\frac{98}{100}$. When, therefore, the Reviewer calculates the population of the departments of France thus: "from one to two hectares to each inhabitant, that is to say, in which the population is from 125 to 250, or rather more, to the square mile;" his "*that is to say*," is that which he ought not to have said—no rare case with him, as we shall show throughout.'

We must inform Mr Sadler, in the first place, that we inserted the vowel which amuses him so much, not from ignorance or from carelessness, but advisedly, and in conformity with the practice of several respectable writers. He will find the word hecatare in Rees's Cyclopædia. He will find it also in Dr Young. We prefer the form which we have employed, because it is etymologically correct. Mr Sadler seems not to know that a hecatare is so called, because it contains a hundred *ares.*

We were perfectly acquainted with the extent as well as with the name of a hecatare. Is it at all strange that we should use the words '250, or rather more,' in speaking of 258 and a fraction? Do not people constantly employ round numbers with still greater looseness, in translating foreign distances and foreign money? If indeed, as Mr Sadler says, the difference which he chooses to call an error involved the entire argument, or any part of the argument, we should have been guilty of gross unfairness. But it is not so. The difference between 258 and 250, as even Mr Sadler would see if he were not blind with fury, was a difference to his advantage. Our point was this. The fecundity of a dense population in certain departments of France is greater than that of a thinly scattered population in certain counties of England. The more dense, therefore, the population in those departments of France, the stronger was our case. By putting 250, instead of 258, we understated our case. Mr Sadler's correction of our orthography leads us to suspect that he knows very little of Greek; and his correction of our calculation quite satisfies us that he knows very little of logic.

But, to come to the gist of the controversy: Our argument, drawn from Mr Sadler's own Tables, remains absolutely untouched. He makes excuses indeed; for an excuse is the last thing that Mr Sadler will ever want. There is something half laughable and half provoking in the facility with which he asserts and retracts, says and unsays, exactly as suits his argument. Sometimes the register of baptisms is imperfect, and sometimes the register of burials. Then again these registers become all at once exact almost to an unit. He brings forward a census of Prussia in proof of his theory. We show that it directly confutes his theory, and it forthwith becomes 'notoriously and grossly defective.' The census of the Netherlands is not to be easily dealt with; and the census of the Netherlands is therefore pronounced inaccurate. In his book on the Law of Population, he tells us, that 'in the slave-holding States of America, the male slaves constitute a decided 'majority of that unfortunate class.' This fact we turned against him, and, forgetting that he had himself stated it, he

tells us, that 'it is as erroneous as many other ideas which we 'entertain,' and that 'he will venture to assert that the female 'slaves were, at the nubile age, as numerous as the males.' The increase of the negroes in the United States puzzles him, and he creates a vast slave-trade to solve it. He confounds together things perfectly different; the slave-trade carried on under the American flag, and the slave-trade carried on for the supply of the American soil,—the slave-trade with Africa, and the internal slave-trade between the different States. He exaggerates a few occasional acts of smuggling into an immense and regular importation, and makes his escape as well as he can under cover of this hubbub of words. Documents are authentic, and facts true, precisely in proportion to the support which they afford to his theory. This is one way, undoubtedly, of making books: but we question much whether it be the way to make discoveries.

As to the inconsistencies which we pointed out between his theory and his own tables, he finds no difficulty in explaining them away or facing them out. In one case there would have been no contradiction if, instead of taking one of his tables, we had multiplied the number of three tables together, and taken the average. Another would never have existed if there had not been a great migration of people into Lancashire. Another is not to be got over by any device. But then it is very small, and of no consequence to the argument.

Here, indeed, he is perhaps right. The inconsistencies which we noticed were, in themselves, of little moment. We gave them as samples,—as mere hints, to caution those of our readers who might also happen to be readers of Mr Sadler, against being deceived by his packing. He complains of the word packing. We repeat it; and since he has defied us to the proof, we will go fully into the question which, in our last article, we only glanced at, and prove, in such a manner as shall not leave even to Mr Sadler any shadow of excuse, that his theory owes its speciousness to packing, and to packing alone.

That our readers may fully understand our reasoning, we will again state what Mr Sadler's proposition is. He asserts, that on a given space, the number of children to a marriage becomes less and less, as the population becomes more and more numerous.

We will begin with the censuses of France given by Mr Sadler. By joining the departments together in combinations which suit his purpose, he has contrived to produce three tables, which he presents as decisive proofs of his theory.

The first is as follows:—

'The legitimate births are, in those departments where there are to each inhabitant

From 4 to 5 hects.	(2 departs.) to every 1000 marriages, .	5130
3 to 4 . .	(3 do.)	4372
2 to 3 . .	(30 do.)	4250
1 to 2 . .	(44 do.)	4234
.06 to 1 . .	(5 do.)	4146
and .06 . .	(1 do.)	2657

The two other computations he has given in one table. We subjoin it.

Hect. to each Inhabitant.	Number of Departments.	Legit. Births to 100 Marriages.	Legit. Births to 100 Mar. (1826.)
4 to 5	2	497	397
3 to 4	3	439	389
2 to 3	30	424	379
1 to 2	44	420	375
under 1	5	415	372
and .06	1	263	253

These tables, as we said in our former article, certainly look well for Mr Sadler's theory. 'Do they?' says he. 'Assuredly 'they do; and in admitting this, the reviewer has admitted the 'theory to be proved.' We cannot absolutely agree to this. A theory is not proved, we must tell Mr Sadler, merely because the evidence in its favour looks well at first sight. There is an old proverb, very homely in expression, but well deserving to be had in constant remembrance by all men, engaged either in action or in speculation. 'One story is good till another is told!'

We affirm, then, that the results which these tables present, and which seem so favourable to Mr Sadler's theory, are produced by packing, and by packing alone.

In the first place, if we look at the departments singly, the whole is in disorder. About the department in which Paris is situated there is no dispute: Mr Malthus distinctly admits, that great cities prevent propagation. There remain eighty-four departments; and of these there is not, we believe, a single one in the place which, according to Mr Sadler's principle, it ought to occupy.

That which ought to be highest in fecundity, is tenth in one table, fourteenth in another, and only thirty-first according to the third. That which ought to be third, is twenty-second by the table, which places it highest. That which ought to be fourth, is fortieth by the table, which places it highest. That which ought to be eighth, is fiftieth or sixtieth. That which ought to be tenth from the top, is at about the same distance from the bottom. On the other hand, that which, according to Mr Sadler's principle, ought to be last but two of all the eighty-four, is

third in two of the tables, and seventh in that, which places it lowest; and that which ought to be last, is, in one of Mr Sadler's tables, above that which ought to be first, in two of them, above that which ought to be third, and in all of them, above that which ought to be fourth.

By dividing the departments in a particular manner, Mr Sadler has produced results which he contemplates with great satisfaction. But if we draw the lines a little higher up or a little lower down, we shall find that all his calculations are thrown into utter confusion; and that the phenomena, if they indicate any thing, indicate a law the very reverse of that which he has propounded.

Let us take, for example, the thirty-two departments, as they stand in Mr Sadler's table, from Lozère to Meuse inclusive, and divide them into two sets of sixteen departments each. The set from Lozère to Loiret inclusive, consists of those departments in which the space to each inhabitant is from 3.8 hecatares to 2.42. The set from Cantal to Meuse inclusive, consists of those departments in which the space to each inhabitant is from 2.42 hecatares to 2.07. That is to say, in the former set the inhabitants are from 68 to 107 on the square mile, or thereabouts. In the latter, they are from 107 to 125. Therefore, on Mr Sadler's principle, the fecundity ought to be smaller in the latter set than in the former. It is, however, greater, and that in every one of Mr Sadler's three tables.

Let us now go a little lower down, and take another set of sixteen departments—those which lie together in Mr Sadler's tables, from Hérault to Jura inclusive. Here the population is still thicker than in the second of those sets which we before compared. The fecundity, therefore, ought, on Mr Sadler's principle, to be less than in that set. But it is again greater, and that in all Mr Sadler's three tables. We have a regularly ascending series, where, if his theory had any truth in it, we ought to have a regularly descending series. We will give the results of our calculation :—

The number of children to 1000 marriages is—

	First Table.	Second Table.	Third Table.
In the sixteen departments where there are from 68 to 107 people on a square mile	4188	4226	3780
In the sixteen departments where there are from 107 to 125 people on a square mile	4374	4332	3855
In the sixteen departments where there are from 134 to 155 people on a square mile	4484	4416	3914

We will give another instance, if possible still more decisive. We will take the three departments of France which ought, on Mr Sadler's principle, to be the lowest in fecundity of all the eighty-five, saving only that in which Paris stands; and we will compare them with the three departments in which the fecundity ought, according to him, to be greater than in any other department of France, two only excepted. We will compare Bas Rhin, Rhone, and Nord, with Lozère, Landes, and Indre. In Lozère, Landes, and Indre, the population is from 68 to 84 on the square mile, or nearly so. In Bas Rhin, Rhone, and Nord, it is from 300 to 417 on the square mile. There cannot be a more overwhelming answer to Mr Sadler's theory, than the table which we subjoin:

The number of births to 1000 marriages is—

	First Table.	Second Table.	Third Table.
In the three departments in which there are from 68 to 84 people on the square mile	4372	4390	3890
In the three departments in which there are from 300 to 417 people on the square mile	4457	4510	4060

These are strong cases. But we have a still stronger case. Take the whole of the third, fourth, and fifth divisions into which Mr Sadler has portioned out the French departments. These three divisions make up almost the whole kingdom of France. They contain seventy-nine out of the eighty-five departments. Mr Sadler has contrived to divide them in such a manner, that to a person who looks merely at his averages, the fecundity seems to diminish as the population thickens. We will separate them into two parts instead of three. We will draw the line between the department of Gironde and that of Hérault. On the one side are the thirty-two departments from Cher to Gironde inclusive. On the other side are the forty-six departments from Hérault to Nord inclusive. In all the departments of the former set, the population is under 132 on the square mile. In all the departments of the latter set, it is above 132 on the square mile. It is clear that if there be one word of truth in Mr Sadler's theory, the fecundity in the latter of these divisions must be very decidedly smaller than in the former. Is it so? It is, on the contrary, greater in all the three tables. We give the result.

The number of births to 1000 marriages is—

	First Table.	Second Table.	Third Table.
In the thirty-two departments in which there are from 86 to 132 people on the square mile . .	4210	4199	3760
In the forty-seven departments in which there are from 132 to 417 people on the square mile . .	4250	4224	3766

This fact is alone enough to decide the question. Yet it is only one of a crowd of similar facts. If the line between Mr Sadler's second and third division be drawn six departments lower down, the third and fourth divisions will, in all the tables, be above the second. If the line between the third and fourth divisions be drawn two departments lower down, the fourth division will be above the third in all the tables. If the line between the fourth and fifth division be drawn two departments lower down, the fifth will, in all the tables, be above the fourth, above the third, and even above the second. How then has Mr Sadler obtained his results? By packing solely. By placing in one compartment a district no larger than the Isle of Wight; in another, a district somewhat less than Yorkshire; in a third, a territory much larger than the island of Great Britain.

By the same artifice it is that he has obtained from the census of England those delusive averages, which he brings forward with the utmost ostentation in proof of his principle. We will examine the facts relating to England, as we have examined those relating to France.

If we look at the counties one by one, Mr Sadler's principle utterly fails. Hertfordshire with 251 on the square mile; Worcestershire with 258; and Kent with 282, exhibit a far greater fecundity than the East-Riding of York, which has 151 on the square mile; Monmouthshire, which has 145; or Northumberland, which has 108. The fecundity of Staffordshire, which has more than 300 on the square mile, is as high as the average fecundity of the counties which have from 150 to 200 on the square mile. But instead of confining ourselves to particular instances, we will try masses.

Take the eight counties of England which stand together in Mr Sadler's list, from Cumberland to Dorset inclusive. In these the population is from 107 to 150 on the square mile. Compare with these the eight counties, from Berks to Durham inclusive, in which the population is from 175 to 200 on the square mile. Is the fecundity in the latter counties smaller than in the former? On the contrary, the result stands thus:

The number of children to 100 marriages is—

In the eight counties of England, in which there are from 107 to 146 people on the square mile . . 388

In the eight counties of England, in which there are from 175 to 200 people on the square mile . . 402

Take the six districts from the East-Riding of York to the County of Norfolk inclusive. Here the population is from 150 to 170 on the square mile. To these oppose the six counties from Derby to Worcester inclusive. The population is from 200 to 260. Here again we find that a law, directly the reverse

of that which Mr Sadler has laid down, appears to regulate the fecundity of the inhabitants.

The number of children to 100 marriages is—

In the six counties in which there are from 150 to 170 people on the square mile 392

In the six counties in which there are from 200 to 260 people on the square mile 399

But we will make another experiment on Mr Sadler's tables, if possible more decisive than any of those which we have hitherto made. We will take the four largest divisions into which he has distributed the English counties, and which follow each other in regular order. That our readers may fully comprehend the nature of that packing by which his theory is supported, we will set before them this part of his table.

COUNTIES.	Population on a Square Mile.	Population in 1821.	Square Miles in each County.	Number of Marriages from 1810 to 1820.	Number of Baptisms from 1810 to 1820.	Proportion of Births to 100 Marriages.
Lincoln	105	288,800	2748	20,892	87,620	
Cumberland . . .	107	159,300	1478	10,299	45,085	
Northumberland .	108	203,000	1871	12,997	45,871	
Hereford	122	105,300	860	6,202	27,909	
Rutland	127	18,900	149	1,286	5,125	
Huntingdon . . .	134	49,800	370	3,766	13,633	
Cambridge . . .	145	124,400	858	9,894	37,491	
Monmouth . . .	145	72,300	498	4,586	13,411	
Dorset	146	147,400	1005	9,554	39,060	
From 100 *to* 150.				79,476	315,205	396
York, East Riding	151	194,300	1280	15,313	55,606	
Salop	156	210,300	1341	13,613	58,542	
Sussex	162	237,700	1463	15,779	68,700	
Northampton . .	163	165,800	1017	12,346	42,336	
Wilts	164	226,600	1379	15,654	58,845	
Norfolk	168	351,300	2092	25,752	102,259	
Devon	173	447,900	2579	35,264	130,758	
Southampton . .	177	289,000	1628	24,561	88,170	
Berks	178	134,700	756	9,301	38,841	
Suffolk	182	276,000	1512	19,885	76,327	
Bedford	184	85,400	463	6,536	22,871	
Buckingham . . .	185	136,800	740	9,505	37,518	
Oxford	186	139,800	752	9,131	39,633	
Essex	193	295,300	1582	19,726	79,792	
Cornwall	198	262,600	1327	17,363	74,611	
Durham	199	211,900	1061	14,787	58,222	
From 150 *to* 200.				264,516	1,033,039	390

COUNTIES.	Population on Square Mile.	Population in 1824.	Square Miles in each County.	Number of Marriages from 1810 to 1820.	Number of Baptisms from 1810 to 1820.	Proportion of Births to 100 Marriages.
Derby	212	217,600	1026	14,226	58,804	
Somerset	220	362,500	1642	24,356	95,802	
Leicester	221	178,100	804	13,366	47,013	
Nottingham . . .	228	190,700	837	14,296	55,517	
From 200 *to* 250.				66,244	257,136	388
Hertford	251	132,400	528	7,386	35,741	
Worcester . . .	258	188,200	729	13,178	53,838	
Chester	262	275,500	1052	20,305	75,012	
Gloucester . . .	272	342,600	1256	28,884	90,671	
Kent	282	434,600	1537	33,502	135,060	
From 250 *to* 300.				103,255	390,322	378

These averages look well, undoubtedly, for Mr Sadler's theory. The numbers 396, 390, 388, 378, follow each other very speciously in a descending order. But let our readers divide these thirty-four counties into two equal sets of seventeen counties each, and try whether the principle will then hold good. We have made this calculation, and we present them with the following result.

The number of children to 100 marriages is—

In the seventeen counties of England in which there are from 100 to 177 people on the square mile, . 387

In the seventeen counties in which there are from 177 to 282 people on the square mile, . . . 389

The difference is small, but not smaller than differences which Mr Sadler has brought forward as proofs of his theory. We say, that these English tables no more prove that fecundity increases with the population, than that it diminishes with the population. The thirty-four counties which we have taken, make up, at least, four-fifths of the kingdom: and we see that through those thirty-four counties, the phenomena are directly opposed to Mr Sadler's principle. That in the capital, and in the great manufacturing towns, marriages are less prolific than in the open country, we admit, and Mr Malthus admits. But that any condensation of the population, short of that which injures all physical energies, will diminish the prolific powers of man, is, from these very tables of Mr Sadler, completely disproved.

It is scarcely worth while to proceed with instances, after proofs

so overwhelming as those which we have given. Yet we will show that Mr Sadler has formed his averages on the census of Prussia, by an artifice exactly similar to that which we have already exposed.

Demonstrating the Law of Population from the Censuses of Prussia, at two several Periods.

Provinces.	Inhabitants on a Square League.	Births to each Marriage. 1756.	Average.	Births to each Marriage. 1784.	Average.
West Prussia	832			4.75	
Pomerania	928	4.3	4.34	4.69	4.72
East Prussia	1175	5.07		5.10	
New Mark	1190	4.22		4.43	
Mark of Brandenburg	1790	3.88	4.14	4.60	4.45
East Friesland	1909	3.39		3.66	
Guelderland	2083	4.33		3.74	
Silesia and Glatz	2314			4.84	
Cleves	2375	3.80		4.03	
Minden and Ravensburg	2549	3.67	3.84	4.31	4.24
Magdeburg	2692	4.03		4.57	
Neufchatel, &c.	2700	3.39		3.98	
Halberstadt	3142	3.71		4.48	
Ticklingburg and Lingen	3461	3.59	3.65	3.69	4.08

Of the census of 1756 we will say nothing, as Mr Sadler, finding himself hard pressed by the argument which we drew from it, now declares it to be grossly defective. We confine ourselves to the census of 1784, and we will draw our lines at points somewhat different from those at which Mr Sadler has drawn his. Let the first compartment remain as it stands. Let East Prussia, which contains a much larger population than his last compartment, stand alone in the second division. Let the third consist of the New Mark, the Mark of Brandenburg, East Friesland and Guelderland, and the fourth of the remaining provinces. Our readers will find that on this arrangement, the division which, on Mr Sadler's principle, ought to be second in fecundity, stands higher than that which ought to be first; and that the division which ought to be fourth, stands higher than that which ought to be third. We will give the result in one view.

The number of births to a marriage is—

In those provinces of Prussia where there are fewer than 1000 people on the square league, . . .	4.72
In the province in which there are 1175 people on the square league, ...	5.10
In the provinces in which there are from 1190 to 2083 people on the square league, ...	4.10
In the provinces in which there are from 2314 to 3461 people on the square league, ...	4.27

We will go no further with this examination. In fact, we have nothing more to examine. The tables which we have scrutinized, constitute the whole strength of Mr Sadler's case; and we confidently leave it to our readers to say, whether we have not shown that the strength of his case is weakness.

Be it remembered too that we are reasoning on data furnished by Mr Sadler himself. We have not made collections of facts to set against his, as we easily might have done. It is on his own showing, it is out of his own mouth, that his theory stands condemned.

That packing which we have exposed, is not the only sort of packing which Mr Sadler has practised. We mentioned in our review some facts relating to the towns of England, which appear from Mr Sadler's tables, and which it seems impossible to explain if his principles be sound. The average fecundity of a marriage in towns of fewer than 3000 inhabitants, is greater than the average fecundity of the kingdom. The average fecundity in towns of from 4000 to 5000 inhabitants, is greater than the average fecundity of Warwickshire, Lancashire, or Surrey. How is it, we asked, if Mr Sadler's principle be correct, that the fecundity of Guildford should be greater than the average fecundity of the county in which it stands?

Mr Sadler, in reply, talks about 'the absurdity of comparing 'the fecundity in the small towns alluded to, with that in the 'counties of Warwick and Stafford, or in those of Lancaster and 'Surrey.' He proceeds thus—

'In Warwickshire, far above half the population is comprised in large towns, including, of course, the immense metropolis of one great branch of our manufactures, Birmingham. In the county of Stafford, besides the large and populous towns in its iron districts, situated so close together as almost to form, for considerable distances, a continuous street; there is, in its potteries, a great population, recently accumulated, not included, indeed, in the towns distinctly enumerated in the censuses, but vastly exceeding in its condensation that found in the places to which the Reviewer alludes. In Lancashire, again, to which he also appeals, one-fourth of the entire population is made up of the inhabitants of two only of the towns of that

county; far above half of it is contained in towns, compared with which those he refers to are villages; even the hamlets of the manufacturing parts of Lancashire are often far more populous than the places he mentions. But he presents us with a climax of absurdity in appealing lastly to the population of Surrey as quite rural compared with that of the twelve towns, having less than 5000 inhabitants in their respective jurisdictions, such as Saffron-Walden, Monmouth, &c. Now, in the last census, Surrey numbered 398,658 inhabitants, and, to say not a word about the other towns of the county, much above two hundred thousands of these are *within the Bills of Mortality!* "We should, therefore, be glad to know" how it is utterly inconsistent with my principle that the fecundity of Guildford, which numbers about 3000 inhabitants, should be greater than the average fecundity of Surrey, made up, as the bulk of the population of Surrey is, of the inhabitants of some of the worst parts of the metropolis? Or why the fecundity of a given number of marriages in the eleven little rural towns he alludes to, being somewhat higher than that of an equal number, half taken, for instance, from the heart of Birmingham or Manchester, and half from the populous districts by which they are surrounded, is inconsistent with my theory?

'Had the Reviewer's object, in this instance, been to discover the truth, or had he known how to pursue it, it is perfectly clear, at first sight, that he would not have instituted a comparison between the prolificness which exists in the small towns he has alluded to, and that in certain districts, the population of which is made up, partly of rural inhabitants and partly of accumulations of people in immense masses, the prolificness of which, if he will allow me still the use of the phrase, is inversely as their magnitude; but he would have compared these small towns with the country places properly so called, and then again the different classes of towns with each other; this method would have led him to certain conclusions on the subject.'

Now, this reply shows that Mr Sadler does not in the least understand the principle which he has himself laid down. What is that principle? It is this, that the fecundity of human beings *on given spaces*, varies inversely as their numbers. We know what he means by inverse variation. But we must suppose that he uses the words, 'given spaces,' in the proper sense. Given spaces are equal spaces. Is there any reason to believe, that in those parts of Surrey which lie within the bills of mortality, there is any space, equal in area to the space on which Guildford stands, which is more thickly peopled than the space on which Guildford stands? We do not know that there is any such. We are sure that there are not many. Why, therefore, on Mr Sadler's principle, should the people of Guildford be more prolific than the people who live within the bills of mortality? And if the people of Guildford ought, as on Mr Sadler's principle they unquestionably ought, to stand as low in the scale of

fecundity as the people of Southwark itself, it follows most clearly, that they ought to stand far lower than the average obtained by taking all the people of Surrey together.

The same remark applies to the case of Birmingham, and to all the other cases which Mr Sadler mentions. Towns of 5000 inhabitants may be, and often are, as thickly peopled, 'on 'a given space,' as Birmingham. They are, in other words, as thickly peopled as a portion of Birmingham, equal to them in area. If so, on Mr Sadler's principle, they ought to be as low in the scale of fecundity as Birmingham. But they are not so. On the contrary, they stand higher than the average obtained by taking the fecundity of Birmingham, in combination with the fecundity of the rural districts of Warwickshire.

The plain fact is, that Mr Sadler has confounded the population of a city with its population 'on a given space,'—a mistake, which, in a gentleman who assures us that mathematical science was one of his early and favourite studies, is somewhat curious. It is as absurd, on his principle, to say that the fecundity of London ought to be less than the fecundity of Edinburgh, because London has a greater population than Edinburgh, as to say that the fecundity of Russia ought to be greater than that of England, because Russia has a greater population than England. He cannot say that the spaces on which towns stand are too small to exemplify the truth of his principle. For he has himself brought forward the scale of fecundity in towns, as a proof of his principle. And in the very passage which we quoted above, he tells us, that if we knew how to pursue truth, or wished to find it, we 'should have compared these small towns 'with country places, and the different classes of towns with 'each other.' That is to say, we ought to compare together such unequal spaces as give results favourable to his theory, and never to compare such equal spaces as give results opposed to it. Does he mean any thing by 'a given space?' Or does he mean merely such a space as suits his argument? It is perfectly clear, that if he is allowed to take this course, he may prove any thing. No fact can come amiss to him. Suppose, for example, that the fecundity of New York should prove to be smaller than the fecundity of Liverpool. 'That,' says Mr Sadler, 'makes for my theory. For there are more people within two 'miles of the Broadway of New York, than within two miles of 'the Exchange of Liverpool.' Suppose, on the other hand, that the fecundity of New York should be greater than the fecundity of Liverpool. 'This,' says Mr Sadler again, 'is an unanswer-'able proof of my theory. For there are many more people 'within forty miles of Liverpool than within forty miles of

'New York.' In order to obtain his numbers, he takes spaces in any combinations which may suit him. In order to obtain his averages, he takes numbers in any combinations which may suit him. And then he tells us, that because his tables, at the first glance, look well for his theory, his theory is irrefragably proved.

We will add a few words respecting the argument, which we drew from the peerage. Mr Sadler asserted that the Peers were a class condemned by nature to sterility. We denied this, and showed, from the last edition of Debrett, that the Peers of the United Kingdom have considerably more than the average number of children to a marriage. Mr Sadler's answer has amused us much. He denies the accuracy of our counting, and, by reckoning all the Scotch and Irish Peers, as Peers of the United Kingdom, certainly makes very different numbers from those which we gave. A member of the Parliament of the United Kingdom might have been expected, we think, to know better what a Peer of the United Kingdom is.

By taking the Scotch and Irish Peers, Mr Sadler has altered the average. But it is still considerably higher than the average fecundity of England, and still, therefore, constitutes an unanswerable argument against his theory.

The shifts to which, in this difficulty, he has recourse, are exceedingly diverting. 'The average fecundity of the marriages 'of Peers,' said we, 'is higher by one-fifth than the average 'fecundity of marriages throughout the kingdom.'

'Where, or by whom did the Reviewer find it supposed,' answers Mr Sadler, 'that the registered baptisms expressed the 'full fecundity of the marriages of England?'

Assuredly if the registers of England are so defective as to explain the difference which, on our calculation, exists between the fecundity of the peers and the fecundity of the people, no argument against Mr Sadler's theory can be drawn from that difference. But what becomes of all the other arguments which Mr Sadler has founded on these very registers? Above all, what becomes of his comparison between the censuses of England and France? In the pamphlet before us, he dwells with great complacency on a coincidence which seems to him to support his theory, and which to us seems, of itself, sufficient to overthrow it.

'In my table of the population of France, in the forty-four departments in which there are from one to two hectars to each inhabitant, the fecundity of 100 marriages, calculated on the average of the results of the three computations relating to different periods given in my table, is $406\frac{7}{10}$. In the twenty-two counties of England, in which there is from one to two hectars to each inhabitant, or from 129 to

259 on the square mile,—beginning, therefore, with Huntingdonshire, and ending with Worcestershire—the whole number of marriages during 10 years will be found to amount to 379,624, and the whole number of the births during the same term to 1,545,549—or $407\frac{1}{10}$ births to 100 marriages! A difference of one in one thousand only, compared with the French proportion!'

Does not Mr Sadler see, that if the registers of England, which are notoriously very defective, give a result exactly corresponding almost to an unit with that obtained from the registers of France, which are notoriously very full and accurate, this proves the very reverse of what he employs it to prove? The correspondence of the registers proves that there is no correspondence in the facts. In order to raise the average fecundity of England even to the level of the average fecundity of the peers of the three kingdoms, which is 3.81 to a marriage, it is necessary to add nearly six per cent to the number of births given in the English registers. But if this addition be made, we shall have, in the counties of England, from Huntingdonshire to Worcestershire inclusive, 4.30 births to a marriage or thereabouts; and the boasted coincidence between the phenomena of propagation in France and England disappears at once. This is a curious specimen of Mr Sadler's proficiency in the art of making excuses. In the same pamphlet he reasons as if the same registers were accurate to one in a thousand, and as if they were wrong at the very least by one in eighteen.

He tries to show that we have not taken a fair criterion of the fecundity of the peers. We are not quite sure that we understand his reasoning on this subject. The order of his observations is more than usually confused, and the cloud of words more than usually thick. We will give the argument on which he seems to lay most stress in his own words:

'But I shall first notice a far more obvious and important blunder into which the Reviewer has fallen; or into which, I rather fear, he knowingly wishes to precipitate his readers, since I have distinctly pointed out what ought to have preserved him from it in the very chapter he is criticising and contradicting. It is this:—he has entirely omitted "counting" the sterile marriages of all those peerages which have become extinct during the very period his counting embraces. He counts, for instance, Earl Fitzwilliam, his marriages, and heir; but has he not omitted to enumerate the marriages of those branches of the same noble house, which have become extinct since that venerable individual possessed his title? He talks of my having appealed merely to the extinction of peerages in my argument; but, on his plan of computation, extinctions are perpetually and wholly lost sight of. In computing the average prolificness of the marriages of the nobles, he positively counts from a select class of them only, one from which the unprolific are constantly weeded,

and regularly disappear; and he thus comes to the conclusion, that the peers are "an eminently prolific class!" Just as though a farmer should compute the rate of increase, not from the quantity of seed sown, but from that part of it only which comes to perfection, entirely omitting all which had failed to spring up or come to maturity. Upon this principle the most scanty crop ever obtained, in which the husbandman should fail to receive "seed again," as the phrase is, might be so "counted" as to appear "eminently prolific" indeed.'

If we understand this passage rightly, it decisively proves that Mr Sadler is incompetent to perform even the lowest offices of statistical research. What shadow of reason is there to believe that the peers who were alive in the year 1828 differed as to their prolificness from any other equally numerous set of peers taken at random? In what sense were the peers who were alive in 1828 analogous to that part of the seed which comes to perfection? Did we entirely omit all that failed? On the contrary, we counted the sterile as well as the fruitful marriages of all the peers of the United Kingdom living at one time. In what way were the peers who were alive in 1828 a select class? In what way were the sterile weeded from among them? Did every peer who had been married without having issue die in 1827? What shadow of reason is there to suppose that there was not the ordinary proportion of barren marriages among the marriages contracted by the noblemen whose names are in Debrett's last edition? But we ought, says Mr Sadler, to have counted all the sterile marriages of all the peers 'whose 'titles had become extinct during the period which our count-'ing embraced;' that is to say, since the earliest marriage contracted by any peer living in 1828. Was such a proposition ever heard of before? Surely we were bound to do no such thing, unless at the same time we had counted also the children born from all the fruitful marriages contracted by peers during the same period. Mr Sadler would have us divide the number of children born to peers living in 1828, not by the number of marriages which those peers contracted, but by the number of marriages which those peers contracted added to a crowd of marriages selected, on account of their sterility, from among the noble marriages which have taken place during the last fifty years. Is this the way to obtain fair averages? We might as well require that all the noble marriages which during the last fifty years have produced ten children a-piece, should be added to those of the peers living in 1828. The proper way to ascertain whether a set of people be prolific or sterile, is not to take marriages selected from the mass either on account of their fruitfulness or on account of their sterility, but to take a collection of marriages which there is no reason to think either more

or less fruitful than others. What reason is there to think that the marriages contracted by the peers, who were alive in 1828, were more fruitful than those contracted by the peers who were alive in 1800 or in 1750?

We will add another passage from Mr Sadler's pamphlet on this subject. We attributed the extinction of peerages partly to the fact that those honours are for the most part limited to heirs male.

'This is a discovery indeed! Peeresses, "eminently prolific," do not, as Macbeth conjured his spouse, "bring forth men-children only;" they actually produce daughters as well as sons!! Why, does not the Reviewer see, that so long as the rule of nature, which proportions the sexes so accurately to each other, continues to exist, a tendency to a diminution in one sex proves, as certainly as the demonstration of any mathematical problem, a tendency to a diminution in both; but to talk of "eminently prolific" peeresses, and still maintain that the rapid extinction in peerages is owing to their not bearing male children exclusively, is arrant nonsense.'

Now, if there be any proposition on the face of the earth which we should not have expected to hear characterised as arrant nonsense, it is this,—that an honour limited to males alone is more likely to become extinct than an honour which, like the crown of England, descends indifferently to sons and daughters. We have heard, nay, we actually know families, in which, much as Mr Sadler may marvel at it, there are daughters and no sons. Nay, we know many such families. We are as much inclined as Mr Sadler to trace the benevolent and wise arrangements of Providence in the physical world, when once we are satisfied as to the facts on which we proceed. And we have always considered it as an arrangement deserving of the highest admiration, that though in families the number of males and females differs widely, yet in great collections of human beings the disparity almost disappears. The chance undoubtedly is, that in a thousand marriages the number of daughters will not very much exceed the number of sons. But the chance also is, that several of those marriages will produce daughters, and daughters only. In every generation of the peerage there are several such cases. When a peer whose title is limited to male heirs, dies, leaving only daughters, his peerage must expire, unless he have not only a collateral heir, but a collateral heir descended through an uninterrupted line of males from the first possessor of the honour. If the deceased peer was the first nobleman of his family, then, by the supposition, his peerage will become extinct. If he was the second, it will become extinct, unless he leaves a brother or a brother's son. If the second peer had a brother, the first peer must have had at least two sons; and this is more than the

average number of sons to a marriage in England. When, therefore, it is considered how many peerages are in the first and second generation, it will not appear strange that extinctions should frequently take place. There are peerages which descend to females as well as males. But, in such cases, if a peer dies, leaving only daughters, the very fecundity of the marriage is a cause of the extinction of the peerage. If there were only one daughter, the honour would descend. If there are several, it falls into abeyance.

But it is needless to multiply words in a case so clear; and indeed it is needless to say any thing more about Mr Sadler's book. We have, if we do not deceive ourselves, completely exposed the calculations on which his theory rests; and we do not think that we should either amuse our readers or serve the cause of science if we were to rebut in succession a series of futile charges brought in the most angry spirit against ourselves;—ignorant imputations of ignorance, and unfair complaints of unfairness,—conveyed in long, dreary declamations, so prolix that we cannot find space to quote them, and so confused that we cannot venture to abridge them.

There is much indeed in this foolish pamphlet to laugh at, from the motto in the first page down to some wisdom about cows in the last. One part of it indeed is solemn enough, we mean a certain *jeu d'esprit* of Mr Sadler's touching a tract of Dr Arbuthnot's. This is indeed 'very tragical mirth,' as Peter Quince's playbill has it; and we would not advise any person who reads for amusement to venture on it as long as he can procure a volume of the Statutes at Large. This, however, to do Mr Sadler justice, is an exception. His witticisms, and his tables of figures, constitute the only parts of his work which can be perused with perfect gravity. His blunders are diverting, his excuses exquisitely comic. But his anger is the most grotesque exhibition that we ever saw. He foams at the mouth with the love of truth, and vindicates the Divine benevolence with a most edifying heartiness of hatred. On this subject we will give him one word of parting advice. If he raves in this way to ease his mind, or because he thinks that he does himself credit by it, or from a sense of religious duty, far be it from us to interfere. His peace, his reputation, and his religion, are his own concern; and he, like the nobleman to whom his treatise is dedicated, has a right to do what he will with his own. But if he has adopted his abusive style from a notion that it would hurt our feelings, we must inform him that he is altogether mistaken; and that he would do well in future to give us his arguments, if he has any, and to keep his anger for those who fear it.

ART. XIII.—*The Duke of Wellington without Whigs,* &c. 8vo. London: 1830.

THE last time that we called the attention of our readers to the state of the country, and of its government, we had the painful duty to perform of mingling our complaints with those of all the people, that a ministry plainly incapable, as it was then constituted, to administer the public affairs, persisted in retaining a power they could not wield with credit to themselves or advantage to the state, but which they would not even share with abler and more popular statesmen. The voice of the people, much aided no doubt by the acts of self-destruction which the Ministers repeatedly attempted at the meeting of the new Parliament, have now occasioned their entire removal from office. They have been succeeded by a Ministry formed on different principles, but not wholly adverse to those held by the ablest of their predecessors, and acted upon by them, much to their own honour and the public benefit, in more than one remarkable instance. It becomes our duty now, therefore, to remind our readers of the circumstances attending that change, in order to estimate how far it will be one of men, or of measures, or partly of each. But, first of all, it is a less gracious, though not an unnecessary task, to recite the grievous practical errors which hastened the overthrow of a government proclaimed everlasting by its adherents, within a few days of its falling to pieces by its own weakness; and to which the author of the tract before us, and other politicians equally sage, promised immortality, upon the plain ground that there was an almost physical impossibility of calling into office the most prominent members of the Cabinet now, in spite of that absolute impossibility, actually formed, and governing the country with an unparalleled concurrence of royal, aristocratic, and popular favour. We say this, though a painful, is yet a necessary duty. It is painful to dwell on the errors, and the worse misconduct of those who have paid the forfeit of their offences by the loss of official existence. But when adversaries succeed to power, much good-nature and much false delicacy usually prevents, and, by preventing an honest and fearless exposure of the past, screens from all censure conduct highly blame-worthy; and deprives the country of the wholesome fruits of experience after it has paid the full price of it. When we add, that a partial, at least a less sweeping change, would perhaps have satisfied our wishes, we need say no more to show that any thing rather than a factious

spirit dictates the remarks we are about to offer, and the recapitulation of facts which we feel it necessary to enter upon.

The ambitious but short-sighted conduct of the Duke of Wellington, in keeping aloof from all junction with the men whose principles he was acting upon, and whose unbought, disinterested, and most cordial support he had so often received, contrary to every view of their personal and party policy, was consummated by his dissolving the Parliament, and appealing to the country, in the forlorn state in which he and his colleagues had been exhibited during the last session. The results of the general election were fatal to whatever remained of strength in his Cabinet; and all men foresaw that a change must needs be made, either by his at length consenting to share his power with those in whom the country and the parliament reposed confidence, or by his being driven entirely from office, with his adherents. This was what all might well foresee without any peculiar gifts. But what no soothsayer could have foretold, was the extraordinary series of blunders by which the Duke's fall was precipitated. It may very safely be affirmed, that the whole history of administrations in ordinary times, and civilized, indeed regular governments, will be in vain ransacked for any parallel to this list of practical mistakes. Never was the proverbial connexion between coming destruction and judicial blindness so aptly, so amply illustrated. No ministry in the exuberant fulness of strength and of popularity, respected in the country, and all-powerful in Parliament, durst with impunity have attempted any one of the six or seven acts which the late Government tried in ten or twelve days. Except the ministry of Prince Polignac, no public men ever yet exhibited such a strange defiance of common sense and public opinion.

1. First of all came the King's Speech—an extraordinary document truly—framed in the genuine spirit of the Holy Alliance, and fraught with all its principles of interference. After a cold statement, without any comment or epithet whatever, that the dynasty of France had been changed, it breathed a spirit of favour towards the King of Holland, and of enmity to the people of the Netherlands, not to be mistaken. It even announced the design as already formed to interfere in the domestic affairs of Belgium; and no explanation since given, or rather attempted, can obviate the inference that such an interposition, however guarded, or however confined in the first instance to remonstrance and mediation, must have eventually endangered the peace of England, of Europe, and of the world.

2. The Speech was silent upon the great question of parliamentary reform. Not a word was whispered upon a topic universally engrossing the attention of the country. But the

Duke of Wellington supplied this blank by a most ominous interpretation or commentary. He stood forth, unprovoked, unasked, as the avowed, ostentatious, gratuitous champion of non-reform. He professed to see no improvement of which our system was susceptible. He declared, that had he to form a constitution anew, he could not hope to attain at once the extreme pitch of perfection which ages had bestowed on the British model of government; and he pronounced the form, the working, and the conduct of our Parliament to be absolutely beyond all power of amendment. So astounding a sentiment was perhaps never uttered in a public assembly of rational beings. Any thing more widely differing from the opinions of the country, more affronting to its feelings, or indeed more glaringly wide of the facts seen, and heard, and known, and felt of all men, was assuredly never yet spoken. That which comes most near it was perhaps the famous resolution of the House of Commons, that a pound-note was equal in value to twenty shillings, at the time when a law was found necessary to prohibit men from selling it for fourteen and fifteen. But the declaration of 1830 very far surpassed that of 1811 in offensiveness to the sentiments of the people. The subject of it was one which every man in the country thoroughly understood; the intention of it outraged the strongest feelings; the tenor of it was almost as violent an outrage upon known and admitted facts.

3. The disappointment of the whole people of the metropolis, in their just and loyal desire to receive among them a monarch greatly and deservedly beloved, excited a mixed sensation of indignation and derision—indignation at the proceeding itself, and derision at the manner and the motive of it. Because an alderman thought fit to pay his court to the Minister by writing him that he had the authority of several *anonymous letters!*—God save the mark!—to show that the latter would be insulted, the Cabinet gravely deliberated, and recommended their popular Master not to go, instead of desiring their unpopular colleague to remain at home! They affected, indeed, to say they had other reasons; but this was flatly contradicted by their conduct; for they sent, it seems, some official person with their letter to the Guildhall, desiring him not to deliver it if he found that the alderman's communication was a fabrication;—thus clearly admitting that they had adopted their sage resolution on no other authority than the alderman's letter, and that even as to it, they had deliberated in the dark. It is only fair to the Duke of Wellington to add, that he was not originally a party to this inconceivable folly. He said, with his wonted decision and manliness, he should remain at home and let the King go.

4. To pass over several minor blunders in the strange and eventful history of these ten days, we may come at once to another disappointment of the country—the announcement of the King's Speech that *the hereditary revenues of the King without reserve* were surrendered, and that with them were given up all casual sources of profit at home and abroad. No one doubted that this unqualified surrender included the Duchy of Lancaster, which, with much exaggeration, had always been represented as a chosen nest of jobs for special favourites, and other secret and doubtful purposes. But the crown lawyers discovered that by a mere quibble the bare words of surrender only meant the revenues holden by the King in right of the crown in England! The very natural error into which all men and all lawyers, save those of the crown, had been led, was fostered by the studied silence of the Ministers and their law advisers, when the thanks of various members were loudly expressed for the supposed boon—thanks wholly misplaced if nothing more had been abandoned on this than on all former occasions of a civil list arrangement. But the terms of the Speech were afterwards represented by the Government and its legal helpmates, as exactly the same in which similar surrenders had been made, when the duchies of Lancaster and Cornwall were never meant to be included. A reference to the statute-book, however, showed conclusively the inaccuracy of this assertion; for the words always before used were, the *hereditary revenues of the Crown*, whereas on the present occasion, his Majesty, who is both Duke of Lancaster and King of England, and addresses his Parliament in both capacities, was made to say '*all my hereditary* '*revenues without reserve*'—words never used before, and plainly conveying the revenues of the Duke as well as of the King. There might be abundant reasons for the surrender being so restricted; but that was not the question. The Ministers intended no such surrender; they may have been right in this; but they ought at least not to have expressed what they did not mean; and their blunder, when the mistake came to be set right, excited a great and a very natural discontent—a disappointment proportioned to the satisfaction at first felt, and indeed expressed, without any correction of the error by the Ministers, who had thus beguiled men into feelings of uncalled-for gratitude.

5. Connected with the Civil List was the next capital error which we have to record—the persisting in keeping all its accounts confounded together in one, as if for the express purpose of preventing the people from understanding what the royal state costs them. The effects of this have always been

most injurious to the monarchy; because, by mixing with the allowances made to the King, properly speaking, for supporting the expenses incident to his exalted station, those expenses which the Sovereign has no more to do with than with paying the land or the sea forces,—*e. g.* judges' and ambassadors' salaries—it is made to appear that the royal dignity costs the country a great deal more than can in any fairness of calculation be placed to its account. Accordingly, this *confusion*—it can be called nothing else—had long been the subject of animadversion; and the new reign was always regarded as the period of putting an end to it. The use of Roman numerals in the Exchequer computations, and the employment of *tallies* in the same enlightened department, were hardly deemed more exploded remains of the clumsiness of our ancestors, than this method of constructing the civil list. The attention of the public had, moreover, been recently awakened to all the evils of the bad method of keeping the public accounts generally, by the very able and learned work of Sir Henry Parnell, now in every one's hands; and the contrast afforded by the great improvements of our neighbours in this important department, had operated to place our inferiority in a very striking point of view. Yet strange to tell, the new arrangement of the civil list came forth with all the unaccountable and now inexcusable confusions of the old method; and the lamentable attempts of the Ministers and the ministerial advocates to defend it by reasoning, were only calculated to expose their own weakness, without in the least extenuating their obstinate adherence to the exploded errors.

Lastly, the rock upon which the government finally made shipwreck, was perhaps the least eminent above the breakers that surrounded them; yet was it to be encountered only by inconceivable rashness, or by deliberate design. We incline to think that the latter was the cause of the mischance; and that, seeing their days were numbered, conscious that their end rapidly approached, they preferred being defeated on their refusal to refer the details of the civil list to a committee, rather than be left in a minority upon Mr Brougham's motion for Parliamentary Reform. We have no hesitation whatever in avowing our entire and unqualified approbation of this choice, supposing them to have made it, which we incline to believe they did. The removal of one Ministry and the accession of another upon the distinct ground of Parliamentary Reform would, according to our conscientious opinion, have been an event pregnant with danger to the stability of the constitution. It would clearly have been most unfavourable to the deliberate discussion of the Reform Question; and it would have rendered the position of any Ministers hardly

tenable, who should enter upon the duties of their high and difficult office, driven on to the execution, rather than led towards the consideration of reform, by the vote which displaced their predecessors and formed their own tenure of power. In every view, therefore, we must consider it as a fortunate circumstance for the country, that the Duke of Wellington resolved to try his strength rather upon Sir H. Parnell's motion than upon Mr Brougham's. That he should, however, have resisted the former motion at all, is hardly conceivable. That he should have deemed a successful resistance possible to a kind of proposition to which the administrations of Lord Sidmouth, Lord Liverpool, and Lord Castlereagh—all far stronger in every respect both with Parliament and the country—had uniformly yielded, appears wholly incredible. Far better would it have been, seeing that defeat was almost inevitable, and that the proposition of Sir H. Parnell was almost in these latter days a matter of course, had the Ministers resigned places which they plainly were incapable of retaining, before either their weakness should be proved upon Sir H. Parnell's motion, or the irresistible prevalence of reform upon Mr Brougham's.

We have now run over the last acts of the Wellington Administration—presenting, as they do, a marvellous contrast to its earlier achievements, both in vigour of execution and in soundness of judgment. They can only be explained upon the very probable supposition, that the Ministers who, earlier in the session, had been too sanguine, and blind to the insecurity of their position, had, after the elections, become all at once aware of their difficulties without the means of meeting them. Then it was that they found the fatal error they had been seduced into by their foolish adulators of either sex—now assuring them that they wanted no help, now whispering that they might have the aid of any one they wanted. The time arrived when help *was* wanted, and they called for it in vain. Parties were courted with large offers, and all were rejected. Individuals were approached, but they took no heed. The session came, and it found them as weak in strength of leaders as ever, and far weaker in numbers. A determined Opposition was embattled under the banners of the most powerful and popular chiefs. The Ministers lost their presence of mind—they reeled about—they staggered on from one inexplicable blunder to another, till they received their death-blow from a vote of the House of Commons, and took the step long anticipated by the nation at large, of retiring from office in a body.

The possibility of forming a new, and a mixed government, which should combine all the tried capacity and the untried resources of

all parties, has never been doubted by us; nor have we ever been able to divine why the attempt was not made. Not that we could dream of such a thing *after* the general election. But that before such a step was resorted to, the men of talent, and integrity, and statesmanlike firmness, who agreed upon the grand questions of public policy most deeply interesting to the nation, should have been selected from all the great parties which divide the country, and formed into a popular government under the auspices of a popular monarch, was, we own, the object of our earnest wishes. The great men of our day have determined otherwise. But we will not give up all hope of the issue we believe to be the most fortunate for the country; and hoping to see our dreams of perfection finally realized, we shall proceed to throw out a few observations upon the position which affairs have actually assumed, and the aspect they now wear.

If we have professed a desire to see the government, in the present crisis of foreign as well as domestic affairs, armed with all the power bestowed by a union of the ablest men of every party, it is by no means from any the slightest distrust that we entertain of the Ministry lately formed. The great talents of its members, their tried integrity, the unbounded popularity of some of them, who combine in an unprecedented degree weight in parliament with influence in the country, renders any such apprehensions wholly out of the question. Besides, there is really no party of any thing like a formidable aspect opposed to them, either within doors or without. Their course is clear; they have but to act as they have hitherto done,—preferring their principles to all things else; and seeking to gain for these principles, and for their country, all they can gain from the parliament and from the court. If such continues to be their course, they need fear no ill; the staff of the people will be with them, and will comfort them. What though they be encompassed round about with the unreasonable expectants of reform? They never have promised unattainable things; they always have been moderate in their professions; the steadiest resistance to such changes as, under the mask of reform, have aimed at revolution, has been offered by them when out of place: so much the more consistently, therefore, can they now wield the powers of the state,—on the one hand to repair, to renovate, to prop up the fabric of the constitution—on the other, to resist all plans that have for their object to assail its body, to undermine its foundations, and to pull its bulwarks to the ground.

The reasoning part of the community,—the most important and respectable portion of the people, those in the middle ranks,

—will give the present Ministers credit for these principles; and to that part of the country they will, beyond all doubt, wisely make their appeal,—fleeing to them for an honest, a conscientious, a steadfast support, at once against the bigots of alarm and abuse, who would have nothing repaired, and against the zealots of innovating reform, who would have every thing torn down. It is our confident expectation that this appeal will be made—it is our firm belief that it will not be made in vain.

But it would seem, by some passages in the late debates, to have entered into the heads of certain underlings of the late Administration, that this appeal will be prevented by a dismissal of the present administration. We are quite confident it never can even have passed through the minds of their chiefs. The interests of the two kinds of politicians are materially different. The underling, valuing above all things his own interest, hates above all things exclusion from place;—dreading above all things a continuance of that cheerless lot, he habitually, constitutionally, and by the law of his existence, above all things pants for a sweeping change—such a change at least as may come low enough down in the scale of place to include himself, and restore him to existence, that is, to official life. The coalition of parties, he eyes with extreme distrust, as not surely calculated to terminate the state of suspended animation which has unhappily been his destiny of late. But it may well happen that his superiors, having some regard for principles, and some feeling for the safety of the state, and a moderate care about his (the worthy underling's) particular destiny, may never dream of any change being possible—as men and things and the country now are—except the accession of a few leading characters to office. In fact, if the present Ministry were to resign to-morrow, what possible reason is there for their predecessors resuming office, that would not have applied to prevent them from quitting it two months ago? Are they stronger in debate in either House, or more numerously supported, or more popular in the country, or more respected abroad, than they were on the 16th of last November? The Chancellor has left Yorkshire and the House of Commons, and there's an end of the whole matter. In every other respect, the impossibility of the government being carried on by the Duke of Wellington and Sir R. Peel is precisely what it was before; and he must be a sorry observer of either parties or public opinion, who can suppose it doubtful, that the Opposition marshalled against the late Ministry would have been far more than enough to destroy it, if the Chancellor (we speak it with all

respect) had never crossed the threshold of Parliament, or had never been born.

Suppose the hardly supposable case of the Ministers being defeated in the House of Commons upon their measures for Parliamentary Reform;—would the Duke of Wellington, and Sir R. Peel, and Lords Ellenborough and Aberdeen, and Messrs Goulburn, Herries, and Arbuthnot, appeal to the people against a reform not sufficient to satisfy their wishes? If the Ministers become unpopular for not going far enough,—will their tory adversaries court the reformers by going farther, and giving universal suffrage and the ballot? But it is far more likely they should take the opposite side; it is more charitable to them to expect less flagrant inconsistency: they will then appeal to the prejudices of the borough patrons and the alarmists, and will make their stand, not in the Commons and in the country, but in the Lords. Then, does any rational being entertain a fancy so wild as that of the Lords prevailing over both Commons and people? If the reform measures are flung out in the Commons, what have the members to do but appeal to the country? If in the Lords, still a new parliament, sanctioning what the former had approved, will bring the Lords round. If, on the other hand, both Lords and Commons receive the plan, can any thing shake its authors, except that the country may be dissatisfied with its moderation? If so, will they call for a return of the Ministers who are against all reform; and, because the present Cabinet does not go far enough, invoke their predecessors to resist all reformation, and retrace the steps that had been taken towards any amendment? This chimera is only fit for ridicule. The people must have lost all principles of reason or consistency, to make such apprehensions other than vain.

One class of supporters, it is true, the underlings we have been alluding to, may likely enough have—we mean such patriots as Mr O'Connell, who seem utterly careless of any one object except the gratification of their own little feelings of vanity and spleen, and to have no one principle of public conduct except to make a noise and work disturbance. It is true, that gentleman has affirmed that he lately refused office on account of his love for Ireland. It is, however, equally true that he has affirmed that Lord Grey had threatened Ireland with new coercive laws; that the English pension list is half a million (the sum being L.70,000, and the whole three lists only L.150,000); that the abolitionists of slavery are tools and jobbers for ministerial favour, and far less liberal than their West India adversaries. A person who so deals with notorious

facts, is to be listened to most cautiously when he tells of things that are in their nature more private. Yet as the friends of the government both in Ireland and England loudly deny this charge, we trust that every Cabinet Minister in his place on the meeting of Parliament will deny having held or authorized any such communication as the one in question. Meanwhile, Mr O'Connell scruples not to rest his present distrust of the government upon the promotion of a gentleman against whom there is no charge that can be preferred, except the having incurred Mr O'Connell's personal dislike, by exposing his calumnies face to face, like an honest and truth-telling man. Mr Doherty is incapable of smiling in any one's face, and stabbing his character the instant his back is turned. He is even incapable of exercising the right of self-defence, and exposing the calumnies of his slanderers in their absence. He repels them when they are present to hear his defence, and to renew the onset if they dare. They dare not. Neither dare they deny their former attempts, but defeated in the unequal conflict, (for when was there any match between calumny and truth, if fairly pitted against each other?) they retire discomfited and disgraced, to hatch paltry schemes of revenge. To further such plans, to involve Ireland in confusion, to seek consolation in desperate fortunes from the shouts of giddy multitudes, whose noise may drown reflection, very possible it is, that the Irish agitators may join the underlings of the late administration, if *they* will condescend to accept such aid. Their leaders, we know, will spurn it with disgust; the followers, we believe, will also reject it.

Another enemy, and upon principles as pure, we perceive in Richard Carlisle. He has begun to denounce the 'Whig Ad-'ministration' in nearly the same terms with the Irish enemies of established order. They have, it seems, prosecuted this avowed apostle of atheism for an address to the 'Insurgents of 'the Empire,' calling upon them to go on burning and destroying until they pull down all establishments, naturalize revolution, and obtain their *just* share of private as well as public property. This address, too, he has put forth at a moment when the unhappy victims of the offended law were confessing, on the verge of the grave, that the lectures of seditious men had led them to their ruin. Mr O'Connell alludes to this attack on the press with kindred indignation; and he cunningly screens himself from the arm of the law by innuendos and insinuations, which he may fancy will protect him, with a timid judge or a friendly jury, from the charge of exciting to outrages on property and on life. Neither the English agitator nor the Irish is pleased to recollect, that the prosecution even of the most

atrocious of excitements to capital felony, has not been by the Whig Attorney-General exercising his right to file an *ex officio* information. It has been by a bill of indictment, preferred by the Solicitor of the Treasury, in the very same way in which any one of the King's subjects might do, and found a true one by a grand jury of the country. If this be persecuting the press, we have wholly misunderstood all the controversy which for the last twenty-five years has been stirred against the filing of *ex officio* informations.

Such are the allies, whose aid against the present ministry is plainly at the service of all that desire their exclusion from office. We believe their alliance will be repudiated everywhere; in England we know it will; but we even look to the misguided people of Ireland, as incapable of persevering longer in making themselves the dupes of one man's designs, and the tools of his purposes—sacrificing their own character for independence, as well as loyalty, and breaking the bonds that unite the empire in peace, to gratify his vanity or his passions, or to minister to his necessities.*

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* The man of all men most respected in Ireland, Lord Anglesea, is restored to the people as viceroy; and Lord Plunkett, the chosen advocate of the Catholic cause, is placed at the head of the civil magistracy. Yet all is clouded with discontent—and for what reason? Simply because Mr Doherty is raised to the Bench from being Solicitor-General! What, then, has that able and learned person done to excite their dissatisfaction? Was he the enemy of the Catholics? Far otherwise; he was mainly instrumental in carrying the question, and actually drew the bill for Catholic relief. Is it new to raise Crown lawyers to the Bench? Quite the reverse; it is the rule and course of the profession. The very same step raised Sir N. Tindal to the same station last year in England. Has Mr Doherty ever taken any part in Parliament against Ireland, or against the Catholics? On the contrary, he has been their champion. Whence, then, this indignation? Simply because Mr O'Connell hates him.

Let it be observed, that the true ground of disapprobation, is by no means put forward by Mr O'Connell and his party. They complain of Mr Doherty as a man who left the Canning party and joined the Wellington, and now takes office from Lord Grey and Lord Anglesea. Even *party* men never carried the party principle so far as to let its considerations influence *judicial* promotion. But when was it before that the *radicals* ever once objected to any one man upon mere party grounds? Who are so indifferent to all principles of party connexion? Rather, who have so uniformly decried, or ridiculed as contemptible, every thing of a party nature? Yet this radical, O'Connell, who in every other matter characterises as factious, if not corrupt, all party principles—pretends that the *party* defects of Mr Doherty constitute an objection to his promo-

To discuss the titles to public favour which the present Ministry possess, collectively or individually, was no part of our design in this article; nor was it necessary. But there are two defects which we think likely to be charged upon them, and which we mention with no unfriendly feelings; or rather, we state them by way of friendly warning. They are, many of them, unused to office, and this brings much inconvenience with it; although it certainly is favourable to an honest, and liberal, and natural course of policy. But some men among them, of excellent capacity, are also well versed, by long experience, in state affairs, and it is to be expected that they will soon communicate discipline and skill to their less experienced colleagues. The other defect is an old error of statesmen bred in the Whig School, at least since the earlier part of George the Third's reign, when that seminary ceased to furnish advisers to the Crown, except on rare and distant occasions. They are too little addicted to office. The common failing of politicians is all the other way; and it is, we readily admit, a far worse one to be much too fond of place and power. But the statesmen we now speak of are guilty of a very great error in loving office too little. They abstain, while in opposition, from all approaches to power, as if it were a shameful thing to serve the country; and while in office, they are indifferent about maintaining themselves in power, almost as much as if they felt it a reproach to regulate the destinies of a great nation. Of this folly—we speak it openly and plainly—of this worse than childish folly there must be an end.

Enough has already been sacrificed to it. Enough of mischief has the country sustained from their yielding to its influence. The times demand a more firm and manly course. The people require leaders who feel their own strength, and are not ashamed to own it. The entire confidence of their gracious and popular Sovereign, the just regards of the thinking part of the aristocracy, and the full approbation of their countrymen of all ranks, should inspire them with a noble confidence in their own power to serve the state and mankind, while it arms them with ample means to render that high service. They must resolve to make sacrifices of all private feelings—love of ease, desire of retire-

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tion! No, no. To attack Mr O'Connell, and to discomfit him triumphantly, was an offence not to be borne! and for *that offence*, it is deemed quite right that the Irish should rise against England and her ministers, and the settlement of the country be again postponed to an indefinite period of time!

ment, vanity of preferring a private station, dislike of responsibility, weariness of office, disgust at the ingratitude that too often repays the servants of the state, contempt of the meanness that influences support, or impels to opposition—all must be given to the winds, when the paramount duty of saving the country, and serving it saved, calls for steady, unflinching, uncompromising exertion. Nor must they ever consider that they have any higher office to execute towards their king or their country, than to preside by all lawful means for that which is the right of every man, and the first duty of every government—SELF-PRESERVATION.

The present state of the country, and the expectations as well as the wishes of the people, concur with the history of former patriotic administrations in past times, to make us feel more than ordinary anxiety upon this important subject. To begin with the last of these topics and to go backward: All of us can recollect the culpable indifference to office shown in 1827, by some most liberal and virtuous men—their reluctance to take it—their carelessness in retaining it; if, indeed, we should not rather say, their alacrity to quit it. Yet this, and a like readiness to retire from the public service displayed by others the following year, gave us a government that had wellnigh plunged this nation into a foreign war, and our neighbours into a domestic revolution. In 1812, what punctilio about the constitutional rights of ministers, and the dependence of the crown, and appointment to household places, was it that deprived the country of such statesmen as Earl Grey and Lord Grenville—inflicted upon us the American war—spent some hundreds of millions—and installed the Castlereagh school in power? Even the *constitutional point*, as it was termed in 1807, though of a very different description, savoured somewhat of refinement, and made men at once applaud the high-minded disregard of power which distinguished the Whig statesmen, and grudge the loss of their invaluable services—the price which was paid for the pleasure of admiring their public virtues. To go still farther back: What countless ills to England and to the world would have been spared, if a punctilious sense of party, perhaps of personal honour, had not prevented the union of Mr Fox's great powers with those of his celebrated rival in 1784, when the only ground of difference was, that the Whigs refused to treat until Mr Pitt resigned his office, which he was immediately after to resume, and share the other high stations with his new allies! Let us hope that the day has passed away when such things could be endured by either statesmen or people in this country; and that men will no longer act as if they were ashamed of wielding the powers

of government. If there be any ministers who care nothing for office, and prefer a private station, surely the part for them is that private station; and they ought to be gratified by the immediate attainment of the object of their wishes. No man can be expected to follow the fortunes of those who only wait for an opportunity to leave him in the lurch. Instead of being quick to descry little grounds of difference either with the Court or the Parliament, or one another, the servants of the state ought to do all in their power at all times to reconcile differences, and to sustain their body unbroken, and their power unimpaired. Unworthy compliances, abandonment of principles,—submitting to such degradation as we have often seen place-loving ministers bear,—no one, of course, can do otherwise than contemn and reject with indignant scorn. But upon all unimportant matters, union should be the grand and common object; and a government strong in the People's affections as in the Sovereign's favour, may well disregard an occasional coldness on the part of either House of Parliament.

The present Ministers are firmly united among themselves, alike by the long habits of close private friendship, and by a community of public principle on all great objects of national polity. This is, certainly, a most important advantage gained by the sacrifice of another benefit which many might have reasonably desired for the country, in the valuable co-operation of one or two honest and experienced men among their predecessors—men, whose accession may hereafter be looked for in times fast approaching, when no government that can be formed will be found too strong for the exigencies of the public service. But regarding the Cabinet as it now is constructed, we again assert, that, compact in itself, and respected by the people, it can have no reason to apprehend any parliamentary opposition from any quarter; as long as it discharges its duties faithfully, and proceeds steadily, yet temperately, to redeem its pledges. Let it only bear in mind that the SAFETY OF THE COUNTRY requires its continuance in power; and that to endanger its duration by any rashness or any impatience, or any self-denying scruples, will be an act of desertion, and not of disinterestedness.

The hopes of the few, whose party-feelings have been already displayed, and of the lovers of mere mischief and anarchy, are supposed to centre in two chances—the possible differences among the Ministers, on reform and its details—the possible discontent of the people with the measures of reform propounded. As it is most devoutly to be hoped that these measures will be moderate—will be pointed to reparation, and restoration, and amendment, not to mere change and revolution—there can be very

little chance of those distinguished statesmen differing among themselves. But the country—we mean the real bulk of its respectable and well-informed inhabitants—in a word, the middle classes, may safely be appealed to in behalf of temperate but effectual alterations and corrections of admitted abuses, against the well-meaning but unwise theorists, who will be satisfied with nothing but the realizing of their own fancies, and the pernicious agitators who work only for anarchy and confusion. We hope and trust that the Ministers will be found hateful to the latter class. Its desire is to see the Castlereagh school—the enemies of all reform, all improvement, once more in power; because its hopes are centred in a quarrel between the People and the Government, only to be settled by wide-spreading revolution. To the bulk of the people—its well-informed and virtuous portion—we equally trust that the Ministers may appeal with friendly but respectful confidence, and expect at their hands a cordial support, even if their plans of reform do not seem all at once to realize whatever good may be looked for in renovating the constitution. The reflecting portion of the community, we know, will duly appreciate the difficulties that necessarily surround A REFORMING ADMINISTRATION; they will, we are sure, give it credit for doing all that it is safe to do at the first; they will hail with pleasure the first reformation that ever yet proceeded from the Sovereign and his Ministers; they will patiently wait for such further improvements as a little time, bringing with it needful experience, may prove to be safe; and they will avoid all manifestations of impatience or discontent, as only tending to paralyse the arm of those who are not more the King's chosen servants than the people's ancient friends—aware that the only effect of withdrawing their confidence from such statesmen would be the throwing power into the hands of others, the very worst enemies of both.*

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* It is a most wise and practical remark of Mr Fox, never to be lost sight of by the people of this country in the approaching discussion of the Reform measures to be proposed by Government, that of all delusions it is the most inexcusable, to prefer giving up every thing to your enemies, rather than surrender a little to your friends. The tone and spirit of some distinguished and justly popular men in both Houses of Parliament since the late change, show them to be deeply imbued with the profound sense of this faithful saying, so worthy of all acceptation.

NOTE to the Article on the Capital Punishment of Forgery.

We desire to be understood as by no means lending our countenance to the mischievous attempts of a most mistaken zeal, or what may truly be called a perverted humanity, to interfere with the ordinary course of criminal justice in particular cases of capital punishment. If the laws are wrong—and we have endeavoured to show they are wrong—nothing can be more praiseworthy than the efforts of enlightened and considerate men to amend them. But surely there is neither reason nor true philanthropy in the course pursued by some well-meaning but unreflecting persons, who never see a capital punishment about to be inflicted by the law as it at present stands, without raising an outcry against it in *the individual case*, and even making direct exertions to prevent the execution of the sentence. What is the consequence? Petitions are got up, and the community is canvassed to sign them. In one well-known case, (where a quaker was condemned for forgery,) copies of the petition for mercy were lying at every fourth or fifth shop in the frequented thoroughfares of London. A vast multitude of signatures were obtained; but the government had the sense and firmness to resist this unbecoming importunity, and the law took its course. Of late, a new line has been pursued, and public meetings are actually held to debate the merits of *particular sentences*; to excite sympathy with the culprits as victims of a cruel law; and to raise indignation against the prosecutors and the judges. The crimes, too, are not like that for which the quaker suffered; but acts of the most atrocious violence, approaching in their guilty intent as near as possible to murder, and only not ending in the loss of life through mere accident. It is the perpetrators of these acts who are held up as objects of mere pity; and no quarter is given either to the injured parties who complain, or to the ministers of justice who would prevent a repetition of crimes, that make all property insecure, strike dismay over the peaceful inhabitants of whole provinces, and are inconsistent with the very existence of civilization.

To show the utter ignorance of the pretended friends of humanity who hold such meetings, one of them praises the Parliament of Edward III., which passed the Treason Law, as 'the '*blessed* Parliament, in which there were no lawyers,'—confounding it with one some generations later, in which it is notorious to the merest smatterers in learning, that no law was passed which ever was heard of afterwards. Another orator (and the meeting seems to have gone with him) denounced as cruel and

unjust all *Special Commissions!* As if any one in his senses ever doubted the expediency of trying offences as speedily as possible after they are committed. We trust that nothing contained in the text of our Article on the Capital Punishment of Forgery will be found to give the slightest countenance to such miserable follies as these.

No. CV. will be published in March.

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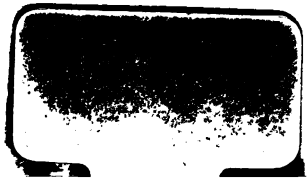
Edinburgh: Printed by Ballantyne & Co., Paul's Work, Canongate.